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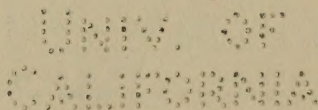
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Documents on County Government

Index

[Including index to articles in the volume of the Annals of the American Academy of Social and Political Science on County Government (Vol. XVII, May, 1913)].



THE NATIONAL SHORT BALLOT ORGANIZATION
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... and reorganization of necessary, A. 239-241; city and county officers in; consolidation of, A. 239; the government of, M. L. Requa, A. 237-247; proposed system of federation, A. 11 and T. 3; short ballot for officials, A. 247; receipts and expenditures of, A. 238.

Alabama—Political functions of county in, A. 90.

Albany County, N. Y.—Claims filed with supervisors in advance of auditing, E. 22.

Albion Reformatory in New York—Establishment of, E. 3.

Almshouse—Reforms in conditions in, begun in Westchester County, D. 7; most important county institutions, its origin and development, D. 6; kinds of inmates found there in 1870, D. 7; improvement impossible under present system of county government, D. 11; administration of, by superintendent of poor, board of supervisors and almshouse commission very unsatisfactory, D. 9; cases for physical examination of, no adequate provision for, D. 9; budget, no attempt to make, D. 9. *See also Hudson County, N. J.*

Assessment valuations—duplicating of, and system radically wrong and unfair, B. 31; inequalities, method of eliminating, B. 33; should be fair and just,

E. 13; lack of efficiency and little accomplished by large boards, E. 16; members overpaid with but few exceptions, E. 14; power of, to appoint county auditor, under the law in New York, E. 20; present system should be re-constructed to meet modern conditions, E. 19; should be abolished or allowed to exercise only purely legislative functions, E. 19; audit of claims by, E. 16; small board of efficient officers needed, B. 6; final power of audit under control, B. 41. *See also individual states and counties.*

Boston—litigation expenses, unjust proportion of, paid by, A. 136-138; 144-150; municipalities, consolidation plan, A. 151-152; metropolitan Boston, area and population, A. 151; courts, judges: appointment of, A. 135; county supplies: purchase of, system expensive, A. 149; county problems, Hormell, Orren C., A. 134-152; county finance, system defective, A. 148; taxation, no legal limit for county purposes, A. 148; finance comm., powers of, A. 148; public officials, county work of, A. 142.

Boundaries—modification of county, necessary, A. 17.

Broome County, N. Y.—board of supervisors; conditions re large payments to clerk, would not have been possible or would have been discovered before if board had performed duties properly,

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- Accounting—Failing, statements often incorrect, E. 12-13; modern systems needed, B. 13; situation in counties, A. 201; suggested system, A. 210-212; State laws re, A. 203-209; uniform system to include all towns and incorporated villages, E. 13; uniformity in state supervision necessary, T. 10; uniform, states having in counties, A. 202; uniform system needed, A. 201-202; uniform, advantages of, A. 202. *See also: Alameda county, board of supervisors, budgets, Illinois, Missouri.*
- Accounts—Examination of, recovered taxpayers' money illegally expended, E. 13; examinations of, showed not a single county in compliance with many provisions of law, E. 13; examination of, by State Comptroller begun in 1907, E. 13.
- Administrative code—C. 27.
- Administrative head, lack of in counties, C. 19.
- Alameda County, Cal.—Accounting system and reorganization of necessary, A. 239-241; city and county officers in; consolidation of, A. 239; the government of, M. L. Requa, A. 237-247; proposed system of federation, A. 11 and T. 3; short ballot for officials, A. 247; receipts and expenditures of, A. 238.
- Alabama—Political functions of county in, A. 90.
- Albany County, N. Y.—Claims filed with supervisors in advance of auditing, E. 22.
- Albion Reformatory in New York—Establishment of, E. 3.
- Almshouse—Reforms in conditions in, begun in Westchester County, D. 7; most important county institutions, its origin and development, D. 6; kinds of inmates found there in 1870, D. 7; improvement impossible under present system of county government, D. 11; administration of, by superintendent of poor, board of supervisors and almshouse commission very unsatisfactory, D. 9; cases for physical examination of, no adequate provision for, D. 9; budget, no attempt to make, D. 9. *See also Hudson County, N. J.*
- Assessment valuations—duplicating of, and system radically wrong and unfair, B. 31; inequalities, method of eliminating, B. 33; should be fair and just, B. 30; County, state supervision of, John E. Brindley, A. 213-226; system in counties, A. 219. *See also Taxation.*
- Assessor—lack of supervision of work in Missouri, A. 54; creation of office in counties, A. 219-225; advantages of county, A. 216; need of trained, B. 37-38. *See also Attorney. See County Attorney.*
- Auditor—*See county auditor.*
- Bedford Reformatory, N. Y.—establishment of, E. 3.
- Board of supervisors—accounts and charges audited and none paid without sanction, B. 41; elected by political organizations and not re-elected if requirements of, are not met with, E. 16; members, efficiency of, not considered in selection on account of politics, E. 16; examples of lack of business methods, payments to county attorneys, E. 18; largely responsible for illegal transactions or for their continuation, E. 15; lack of efficiency and little accomplished by large boards, E. 16; members overpaid with but few exceptions, E. 14; power of, to appoint county auditor, under the law in New York, E. 20; present system should be re-constructed to meet modern conditions, E. 19; should be abolished or allowed to exercise only purely legislative functions, E. 19; audit of claims by, E. 16; small board of efficient officers needed, B. 6; final power of audit under control, B. 41. *See also individual states and counties.*
- Boston—litigation expenses, unjust proportion of, paid by, A. 136-138; 144-150; municipalities, consolidation plan, A. 151-152; metropolitan Boston, area and population, A. 151; courts, judges: appointment of, A. 135; county supplies: purchase of, system expensive, A. 149; county problems, Hormell, Orren C., A. 134-152; county finance, system defective, A. 148; taxation, no legal limit for county purposes, A. 148; finance comm., powers of, A. 148; public officials, county work of, A. 142.
- Boundaries—modification of county, necessary, A. 17.
- Broome County, N. Y.—board of supervisors; conditions re large payments to clerk, would not have been possible or would have been discovered before if board had performed duties properly,

E. 15; county funds, drawn from at will by one official, E. 14; government of, corrupt, C. 2-3.

Budget—advantages of in county, A. 211; boards for making of, A. 211; publicity concerning necessary, A. 266; responsibility for, in New England, counties, A. 34; economy and efficiency in expenditures of counties, Boyle, J. E., A. 199-212. Importance of true estimates re, B. 46; county auditor should assist in preparing, B. 46. *See also almshouse, Hudson County, N. J., Milwaukee County, New England, New York State, Erie County, N. Y.*

California—board of supervisors, A. 9; board of freeholders, A. 9; attempts for better county government, B. 4; civil service in counties of, A. 101; county charters—constitutional amendment, provisions of, A. 299-231; counties, limited constitutional home rule adopted by, A. 9; procedure for adoption of county charters, A. 9; county home rule in; the Los Angeles county charter, Works, Lewis R.; A. 229-236; political status of county in, A. 100; state law regarding county officers, A. 234. *See also Alameda county, Los Angeles, San Bernardino.*

Campaign funds—collection and distribution of, A. 95.

Canada, county judge, supervision of cases by, B. 56.

Charities. *See Burritt, Bailey B., poor, insane in Pennsylvania.*

Charters. *See California; county charters.*

CHICAGO AND COOK COUNTY, ILL.

City government, organization of, N. 17; Cook county and Chicago, N. 15; county government, organization, county board, duties, N. 19-21; county clerk, N. 22; county treasurer, duties and salary, N. 21; elective officials, no central co-ordinating of officials or body, N. 19; general assembly, continual interference of, in matters of local administration, N. 9; local governments—service of inefficient and waste of public revenues large, N. 13; unification of would produce efficiency and reduce waste, N. 13; the nineteen local governments in Chicago, N.; park districts, organization, N. 27-28; park governments, consolidation would produce efficiency and save city large sum of money, N. 13; organization, N. 29-30; public utilities commission, an additional governmental agency, N. 9; sanitary district, government of, N. 23-

24; short ballot, much needed, N. 13-32; townships, N. 16.

Circuit court supplemental investigation, I. 10; office of clerk of circuit court, reforms needed, I. 5; circuit court clerk, reducing of staff of, recommended by Chicago Bureau of Public Efficiency, but no reductions ordered by judges, L. 2; Civil service administration in, A. 108-109; Clerk of circuit court, superior court, record writing and folio divisions: consolidation urged, I. 7-11-13.

Coroner, use of stenographic reports of testimony furnished by Public Service Corporations, K. 10-46-49; Professional jury system worse abuse of office and should be abolished, K. 7-8; Jurors certificates, recommendations *re* by Chicago Bureau of Public Efficiency, K. 9-10; Unofficial clerks, K. 10; Records, system of keeping, many improvements made, K. 12-13; Election of; should not be elective, K. 14; Staff and recommendations *re*, K. 14-15; Chief functions of, office of, K. 17-18; Average coroner unfit to conduct technical legal matters and technical medical matters, of which his office consists, C. 21; Functions of very vital to administration of justice, C. 21, Reporters, number necessary and recommendations, K. 50-52; Statistical, K. 55-58; Records and forms—financial, K. 52-55; Organization of office, K. 26-28; Inquest fees, K. 29-30; Statutory requirements, K. 30; Receipts and custody of estates, K. 30-32; Estates, handling of, disposition of estates, K. 32-34; Jurors, method of selection, by deputy of morgue, K. 35-36; Jurors, fees, K. 9-41; Trafficking in jurors' certificates should be abolished, K. 9-42-45; Murder cases, preservation of evidence, K. 58-60; Death certificates, K. 60-63; One additional employee—recommended by Chicago Bur. of Public Efficiency, but four given by judges, L. 2; Death certificates, K. 60-63.

County Collectors—Conditions resulting from manner in which accounts are operated, J. 46-49.

Judges—Committee report of to circuit court and recommendations, L. 5-15; And county fee officers, L.

Judges of Circuit Court—No attention paid by recommendations of Chicago Bureau of Public Efficiency, L. 3; Eight additional employees allowed treasurer despite indications of wastefully managed office, L. 1.

Judges of circuit court—No steps taken by to overcome treasurer's opposition to inquiry, L. 1.

Public funds—Useless expenditure of should be stopped and suggestions re, I. 5-6.

Public revenues—Waste of by useless officials should be stopped, L. 1-3.

Recorder—Six unnecessary employees ordered for, L. 3.

Sheriff's staff—reduction of recommended, but increased by judges, L. 2.

Superior Court Office—employment of unnecessary clerks, I. 7-8,—17-18; Supplemental investigation and results, I. 15-16; general staff, changes in, I. 18-19; Recommendations by Bureau in former report, I. 21-22; Minute clerks, I. 22; Clerkships recommended for 1913, I. 22-22; Clerk: reduction of staff recommended but number of employees increased by judges, L. 2.

Taxing Bodies—Remittances of collections to, J. 49-50.

Treasurer—Voters urged to insist on publicity in management of public business, M. 10; Accounts, objections by, to inspection of books or investigations of operations of office, M. 4; original plea for publicity, showing reasons why books should be regarded as public documents, M. 3-4; Accounts, examination of, by citizens and taxpayers objected to but afterwards permitted, M. 5; Accounts, examination of, showed no entries in treasurer's accounts, with banks or earnings in bank deposits, M. 6; Interest on daily cash balances for year 1911 estimated to be \$130,968.79 short, M. 6-7; Circuit court judges, duty of to fix number of employees in office of and difficulties re, M. 6-7; Report on office of, showing necessity of an investigation, M. 6-8; Interest on funds, no inquiry made in 1911 and resolution passed by county board freeing treasurer of all accruing claims, M. 7; Minority of commissioners have tried to force treasurer to account for interest earned and to open books for public inspection, but have failed, M. 7-9; Investigation of records of, re handling of public funds and interest on them, M. 4-5.

Treasurer, (Chicago, City) Accounts, obliged to permit examination of, M. 9; Inheritance taxes, two per cent. of taken by treasurer for handling of, M. 9; Salary paid out of funds in his possession and no adequate supervision of to insure proper payments, M. 9; Interest on funds, payments, no itemized statement made and no method of ascertaining correctness of, M. 10; Interest on funds, taken by treasurer for many years, M. 10; Books and records should be open to public inspection, M.

8-11; Plea for publicity in office of county treasurer, M.; Fees regarded as "spoils" and retained for personal use, J. 5-6.

Treasurer—Books and records should be open to public inspection, M. 8-11; Plea for publicity in office of county treasurer, M.; Records, public and private records, kept, but important entries regarding receipt of taxes not in public records, J. 5; Right of citizens, taxpayers and County Board to examine private records denied by, J. 15-16; Legislative changes necessary, J. 18-19-29; Remittances to taxing bodies withheld, J. 17; Commissions as ex-officio "town collector" and two per cent. on inheritance taxes added to salary, J. 17-18; County collector, duties, J. 22; Absolute power of, over funds, J. 24-25; Bonds required of, J. 25-26; Public inspection of permitted and facts disclosed, J. 32-33; Accounts, absolutely no auditing, J. 51; Should be open to inspection, J. 51; Funds, interest on, investigation of, by Chicago Bureau of Public Efficiency, J. 49-61; Salary, J. 26-28.

Children. *See Pennsylvania charities.* Children's Aid Society of Pennsylvania, establishment of, A. 179. *See also State Board of Children's Guardians, under Hudson County, N. J.*

Civil service—application of, to county, A. 4,277; administration in, success of, A. 108; use of necessary, A. 103-104; extension of in counties, A. 147; Civil Service and the Merit System, Belcher, Robt. W., A. 101-111. *See also Colorado, Cook County, Ill.; Denver, Colo.; Hudson County, N. J.; Milwaukee County, New Jersey, New York State, Pennsylvania.*

Clerk of court, in Vermont, A. 28. *See also Cook County, Ill.; County Clerk.* Collector. *See County Collector.*

Colorado, civil service in counties of, A. 101.

Commission form of government, merits of; most vital ones are the short ballot and unification of powers, C. 6.

Committee system of audit—failure of in New York State through lack of knowledge, B. 42-43.

Commissioner system, in the South, A. 5.

Comptroller. *See County Comptroller.*

Connecticut, Clerk of court in, A. 28; county representatives in, 21; county officers, A. 36.

Constabulary. *See Pennsylvania; Crawford, Ernest.*

Coroner's office—Abolishment of, by Joseph DuVivier, D. 12-17; quotations

from reports of, showing inefficiency, D. 14; cases of criminal origin are few, and investigations of an extravagance, D. 15; difficult to abolish under present form of county government, D. 16; expense of, investigation, jurors, subpoenaed, etc., are a waste of money, D. 16; an obstruction and unnecessary expense, D. 12-14-15; suggested improvements in, D. 18; system wasteful and extravagant, D. 13-14-15; a useless office that attracts only inefficient, incompetent men, D. 13; Schultz, Oscar T., A. 112-119; administration of, is poor, A. 113; attempts to abolish, A. 118; chief duties in most states, A. 113; deaths, investigations of, medical training necessary, A. 114-117; suggestions for improvement in, A. 118; medical duties inadequately performed, through lack of training, A. 115; Oscar T. Schultz, A. 112-119. *See also Cook County, Ill.; Hudson County, N. J.; New England, New York.*

Correctional institutions—state administration of, better than any other correctional administration because more attention given to, E. 2; lesser institutions, no improvement in administration of possible until under state control, E. 1; under three different managements, E. 2. *See also county jails.*

COUNTY.

County—Importance of in different sections of country, A. 15; Types of, C. 23; Organization, development of, A. 18-20; Political duties of, A. 90; Political importance of, A. 92-93; Size and population, variation of, A. 16-17; Structural defects, A. 7-8; In New York State, conditions found, the result of illegal and improper practices covering many previous years, E. 15.

—Auditor—Buck, Geo. S., B. 40-47; Action of, final but may be renewed by Board of Supervisors, E. 20; May be appointed by supervisors, E. 20; Is servant of board and if action of is not approved he loses his office, E. 20-21; Laws of 1910 re, B. 41; In New York State, term and salary fixed by, pursuant to laws of 1910, B. 41; Question of appointment or election, R. 43-44; duties of under N. Y. State laws, B. 41; Should have more power, B. 43-44; Powers limited unless backed by board giving full authority, B. 41-44; Choice of, by popular election, question of, E. 20; *See also Hudson County, N. J.; New England, Erie County, N. Y.*

—Attorney—Removal of from politics, A. 275; In one case employed at \$3,000 with duties of attorney and counselor for county offices, boards and committees and large sum also paid another attorney, R. 18; charge of \$10,000 for services in acquiring title to \$21,000 worth of property, E. 18; classification of legal services for which he was paid over \$13,000 when county already had an attorney, E. 18.

—Boards—length of terms, A. 21.

—Charters—right of counties to draft, C. 1. *See also Works, Lewis R.*

—Clerk—Illegally paid about \$10,000, and board of supervisors when notified raised salary to \$3,000 a year in addition—E. 18. *See also Hudson County, N. J.; Orange County, N. Y.*

—Comptroller—powers very limited in New York, B. 41; In New York State, general county law re, B. 42; should be elective—C. 20; final auditing not done by and work consists of recommendations to board of supervisors, E. 21.

—Collector—duties in New Jersey, A. 55.

See also Hudson County, N. J.

—Community and Its Government, Wm. L. Bailey, A. 14-25.

—Court—Should convene court anywhere in county, holding regular sessions in important towns, B. 56; Probate court, all administrative work of should be under jurisdiction of, B. 55; Criminal jurisdiction, limit of, should permit trial of all but most serious felonies by county judge, B. 59; Cases involving small sums must be tried locally, B. 52; should hear and determine issues involving more than \$500 by agreement of both parties, B. 55; County judge and magistrates should compose single administrative body, the judges having control of, B. 58; In criminal matters, all preliminary examinations should be conducted by, B. 55; In criminal matters, should have exclusive jurisdiction in misdemeanor cases, B. 55; In criminal matters, should have concurrent jurisdiction in all but a few of most serious felonies, B. 55; Jury not permitted to preside over, waiver of trial by, suggested, B. 59; District magistrates—jurisdiction assigned to, B. 58; Should not be uniform in size but should be divided to meet conditions, B. 56;

Districts, each should have magistrate who would be part of county court, B. 57; Local courts of limited jurisdiction, established for purposes of economy in administration, B. 52; Fee system, should be abolished and salary fixed, B. 57; Organization of in pioneer days showing lack of supervision of magistrates and co-ordination in general, B. 50-51; Presiding justice, deputy of chief justice, B. 62; Sessions should be regularly held, where sums are sufficient to justify trial at central points, B. 52; Membership, election and duties and powers of, A. 49-52.

—Employee, by Winston Paul, A. 81-84.

—Government—complete reorganization of necessary in New York, E. 20; Administration, a responsible head is needed for, D. 17; Relation to state government, A. 6; Some needs to be considered in reconstructing, Cartwright, Otho G., B. 5-20.

—Government—Administration, high cost of, which could be reduced one-half under simple organization, B. 5; Commission form of, B. 68; County Manager, powers and duties, B. 79; Democracy of, one of the aims of modern political science, B. 74; Divided responsibility in, is serious, B. 74; Ground plan ideally bad, B. 73; County Manager plan, B. 73; New York State, difficulties of the people of, who seek to control present type of, B. 75; No organization for promoting of, B. 3; Power, should be centralized, B. 6; Simplification of, as a motive power of popular interest sufficient to operate it, B. 77; Unification of, B. 81; Unification of the departments of, a task for strong chief executive, B. 76; Voters the only unifying force in present system of, B. 76; Failure of, is particularly bad by reason of its obscurity, C. 2; Functions of, confusion in, C. 23; Functions of enumerated, C. 15; Officials, lack of co-operation and harmony between, C. 4; Organization of makes it able to resist public opinion and baffles all attempts of control by the people, C. 5; Unification of powers of necessary to good government, C. 5; Rural counties, health department of should be centralized in county board and health officer should be

provided, C. 23; Short Ballot movement, first political reform affecting, writings on the subject of, lack of, C. 1; Organization, B. 30; Old organization of often retained, not suited to modern conditions, A. 5-6.

See under NEW JERSEY; also county problems.

—Health Movement — Tuberculosis Hospital, administration of by Board of Managers of five persons recommended, D. 10.

—Jail—Keeper of, duties, B. 68; Two general classes confined in, those awaiting trial and those convicted, E. 6; Misdemeanors, those convictions of generally sent to, E. 6; Sheriff, fee system still in existence, 10; Sheriff, salary of, regular basis for and certain sum allowed by Board by supervisors requiring accounts of, tends to good treatment of prisoners, 10; Food, preparation of in small jails by inmates, E. 10; Establishment of six state district work houses for prisoners in place of each under separate boards of managers suggested, E. 7; Felony, those convicted of sent to state prisons or reformatories, E. 6; Entirely out of date in comparison with modern penology, E. 1; Different classifications required by N. Y. State Prison Commission and difficulties *re*, E. 4; county administration, should not be under, E. 8; Controlled by sheriff, E. 2; Construction, allows men to congregate with bad results, E. 5-6; Building frequently not modern and usually insufficient accommodations for classification of offenders, E. 3; Bail, in ordinary criminal cases small, making the obtaining of very easy, E. 10; Bad conditions in, due largely to county management, E. 5; No improvement in administration of possible until under state control, E. 1; Abolition of as place of detention for convicted prisoners necessary, E., 6-7.

See also correctional institutions, Hudson County, N. J., Illinois.

—judge—Work should be fixed so that one judge would be kept reasonably busy in average sized courts, B. 55; Election and removal of, by popular vote, difficulties of and suggestions *re*, B. 54-55; Criminal matter triable by a magistrate, permitted to take over, B. 59; Candidates should be learned in law

- and have resided in county a reasonable period, B. 53; Appointment of could be by a responsible elected official, B. 53; Number of should be decided by population of county, B. 62; Division of work with associate judges, B. 62.
- Management—In New Jersey—Winston Paul, E. 1-6; Of Charities and special institutions, by Bailey B. Burritt, D. 6-12.
 - law in New York—Too complex for accomplishing much, B. 4.
 - Manager—Duties of, T. 9; Appointment of, should be selected from any part of country where most efficient officer may be found, C. 20; Board of supervisors, should be responsible for county policies and should be required to place county management in hands of county manager, C. 20; Power of extensive under proposed bill, C. 21; Required to take the constitutional oath and to furnish sureties, C. 20; salary of should be larger than any other county officer and sufficient to attract competent person, C. 19; Tenure of office, under proposed bill indefinite but he may be removed by board of supervisors after being given written statement of removal reasons, C. 20.
 - Manager Plan, by Richard S. Childs, B. 73-82.
 - Officials in New York—Good class of men individually but are handicapped by lack of knowledge, E. 21; Methods of selection in New York, D. 2; Election of, the impossibility of voters choosing persons with proper qualifications for, B. 75; Fees collected by for work not done, C. 1-2-3; Training, lack of, C. 7; Appointment of instead of election a move to promote efficiency, B. 18; Reduction of number promotes efficiency, B. 6; Powers and duties of in New York, D. 5; Salaries of, B. 14; Special training for necessary, B. 8-9.
See also special officers, e. g., sheriff; New York State.
 - Parks—Certain percentage of county ratables spent on in New York, D. 2.
 - Penitentiary—controlled by sheriff, E. 2; For, in New York, Albany, Syracuse, Rochester and Buffalo, E. 2; controlled by county government, E. 2.
 - in politics, the Jones, Chester Lloyd, A. 85-100.
 - Prisons—Lewis, O. F., E. 1-4.
 - problem—Elements of the, Gilbertson, H. S., A. 3-13.
 - Reorganization—suggestions for, A. 77-78.
 - Supervisor in New Jersey, office of is effective instrument in promoting efficiency, D. 6.
See also *Essex County, N. J.*, *Hudson County, N. J.*
 - Superintendent, qualifications, election and duties of, A. 158.
 - treasurer—all taxes should be collected by or under direction, E. 19; Should conduct all unpaid tax sales, B. 40; In New England, A. 32-33.
See also under *Cook County, Ill.*, *Nassau County, N. Y.*; *Orange County, N. Y.*
 - ticket—perversion of the, A. 76.
- Courts—See *county courts, Hudson County, N. J.*, *NEW ENGLAND*.
- Court House—See *Hudson County, N. J.*
- Davis, Miss Katherine B. Commissioner of Correction of New York City, E. 3.
- Denver; County government and charter of, A. 3; Civil service in, A. 188.
- District Attorney. See *prosecutor, prosecutor of the pleas under Hudson County, N. J.*
- Elections—Simple, honest ballot necessary, B. 17.
- Elmira Reformatory—Establishment of, E. 3.
- Employees—Excessive members often employed, E. 81; Efficient employees—suggestions for obtaining, A. 83. See also *civil service*.
- England—County jails, taken over by state in 1876-1877 and reduction in number made, E. 6.
- Erie County—Home and Hospital, improved methods of store keeping and inspection in, B. 45; Administrative head, lack of, C. 15; Auditing, committee system used with bad results, C. 15; Board of supervisors, bad administration of in building of an armory, C. 14-15; Budget, lack of, C. 15; County officials, locally elected in, C. 14; Municipal Voters' League, formation of, C. 14; Supplies, inspection and bookkeepers, salaries of, B. 49; County auditor, expenses cut by, B. 49-50; Enlargement of powers of the county comptroller, B. 44; Elected at large and power and duties derived from series of special acts, B. 40; Auditor's office, total cost of, B. 40-48.

Essex County, N. J.—Establishment of, A. 26; County supervisor, duties, A. 8; Co-operation, Lack of in, A. 256; County supervisor, powers and duties, D. 5.

Fairlie, John A., County and Town Government in Illinois, A. 62-78.

Federated County—Suggested for Los Angeles, Cal., T. 283; Suggested for Essex County, N. J., T. 283; Central legislative body, powers, T. 284-285; Single county legislative body should be created and example by recommended, T. 284.

See also Alameda County, Cal.

Fee System—Significance of, in counties, A. 17; Disadvantages of to county, A. 21; Received by officials, not always accounted for and often improperly or illegally expended, E. 14. *See also under Cook County, Ill.*

Finance, administration of, defects in, A. 200; Should be managed by responsible and honest officials, E. 19.

Freeholders—Many subsidiary boards and officials appointed by in New Jersey, D. 23; Boards of, in N. J., Duties in charge of general county matters including road matters, with a few exceptions, and most of county institutions, D. 1; Powers of boards in N. J., decidedly limited, D. 2; Employees, salaries should be controlled by, under law, but law not enforced, D. 3; Small board declared unconstitutional in all counties of N. J., Hudson and Essex now open problem, D. 4; Personnel of small boards unsatisfactory, D. 4; New Board in N. J. not as satisfactory as expected, and extravagant, D. 4-17.

Free Schools, Finance reforms needed, A. 164; County Supervisor, suggested improvements in systems, A. 161-163; County superintendent, qualifications, salaries and duties, A. 158-160.

Grand Jury meetings—In New York counties, infrequency of resulting in postponement of cases, E. 5-9; May be called by any Supreme Court Justice by application of district attorney, E. 9; In New York, Infrequency of, amendment to its law would remove difficulty, E. 10; Ninety-five per cent. of cases submitted to, purely routine matters and could have come before magistrates, E. 10; Suggestions for preventing delays in, E. 11.

Great Meadows Prison Reforms in New York, reforms started at, E. 3.

Health, see County health movement.

Highway administration in Missouri, A. 60.

Highway District—county as, in Vermont, A. 27.

Highways—Uniform administration of necessary, B. 14-15.

Home-Rule—in California cities, A. 9; For cities, plans of cities for, so successful that constitutional sanction of will be sought, B. 65. *See also Works Lewis R.*

Hospitals—Texas Board of Health law requiring county hospitals in operation 1913, O.; Mungor, Dr. E. E., County Hospital movement in Iowa started by, O.; Jefferson County Hospital: establishment, work of in first year, O. 608; County Hospital, Washington County, establishment of and accomplishments in first year, O. 607-608; County Hospitals, Iowa, need of and bill for establishment of, O. 605-606; County Hospital, advantages of, O. 607.

HUDSON COUNTY, N. J.

Almshouses needed, centralized authority for commitment of paupers needed, G. 50-52; Annual reports, submitted by more important boards but not those controlled by boards of freeholders, G. 128; Appropriations, duplication of and money wasted, G. 17; Elections, salaries and rules of procedure, P. 32-33-36; Board of freeholders, clerk of the board, election and duties, G. 34-35; Statutory committees, G. 34; Board of health and vital statistics, G. 62; Boroughs, government of, G. 16; Boulevard commission, membership, salary, duties, etc., G. 71-74; N. J. boulevard, twenty miles long and costs \$20,000 a year, D. 2; Budget, should not be drawn up and adopted by board of freeholders and should be open to public inspection, G. 118-120; Budget of 1914, inaccuracies of, G. 121; Budget, suggestions re preparation of, G. 121-122; Civil Service, state control or supervision of advisable, G. 127; Coroners, G. 106; Consolidation into single municipality advisable, G. 17-19; County auditor, is needed, and suggestions for, G. 124; County Collector, appointment, salary and annual report of, G. 122-124; County centralization of municipal functions has proved beneficial, G. 130-131; County clerk, election and salary and duties, G. 100-101; County engineer, duties, etc., G. 65-67; County investigator, duties, salary, etc., G. 69-70; County jails, inefficient, G. 47.

County officers, election of, G. 10; County officers, number should be reduced and responsibility placed in one small board elected by the people, G. 40;

County overseer, duties, salary, etc., G. 68-69; County physician, appointment and duties, G. 61-65; County supervisor, duties of, A. 8, D. 5.

Courts—Expenditures, analysis of, G. 108-109.

Court House—Under supervision of Board of Freeholders, G. 42.

Director—Election and powers of, G. 33-37-38.

Election Board—membership, powers, G. 78-80.

Estimated expenditures—appropriations are expended by board of freeholders and other bodies, G. 115.

Financial administration, (1) governed by act of 1878 as amended in 1902, G. 113; appropriations for county offices, showing anticipated revenues from fees, G. 116; Mandatory expenditures, G. 116; County revenue, sources of, G. 112; Government, cost of, A. 81; Need of consolidation, T. 287; Care of Insane, lack of state control has developed difficulties, G. 130; Insane asylums of Essex and Hudson counties, G. 48-50; Jury reform, G. 103-105; Law department officers, salaries, duties, etc., G. 58-60; Mosquito commission, membership and work of, G. 77-78; Municipal government, various forms of, in county, G. 14-15; Municipalities, consolidation of necessary to promote efficiency and economy, G. 125-126; Officers and salaries, G. 97-100; Park Commission, membership, salaries and powers, G. 74-76; Penitentiary, managed by board of freeholders, G. 52-54; Probation office, G. 106-107; Prosecutor of the pleas, powers and salary, G. 105; Registrar of deeds, election, salary and duties, G. 101-102; Roads and bridges, construction of, G. 66-67; Schools, superintendent, duties and salary, G. 94-95; Sinking fund commission, membership and suggestions re, 122-123; Officials, compensation of, A. 82; Sheriff, election, duties and salary, G. 102-104; State Board Children's Guardians, membership and powers, G. 84-85; State control over, more advanced than in other states, G. 12; State civil service commission, membership, salary and powers, etc., G. 88; Taxation board, membership, duties, salaries, G. 81-83; Townships, government of, G. 15; Tuberculosis hospital, managers appointed by board of freeholders and receive no salaries, G. 54-57; Widows' pension act, provisions, G. 86-87.

Illinois—Accounting, uniform system needed, A. 69; centralized administration needed, A. 76; Constitution, suggested statutory changes in, A. 77;

Counties, area and population, variation in, A. 65; County boards, members and election of, A. 66; County finance, accounting methods faulty, A. 69; County Jails, conditions bad, A. 70; County and town government, historical development, A. 62-65; County officers, election and duties of, A. 66-68; Elections, local consolidation of necessary, A. 75; Justices and constables, election of, A. 74; Poor relief, conditions unsatisfactory in most counties, A. 69; Road administration system, readjustment necessary, A. 74; School administration, possible improvements in, A. 75; Sheriff in, A. 68; Short Ballot for counties, A. 67; Tax administration, readjustment of system advisable, A. 73; Town finances, no accounting system, A. 73; Town meetings, attendance poor and of little value, A. 71-72; Township organization, A. 70; Institutions of, bad management of due to untrained officers, A. 101.

Indiana—Accounts, state board of, A. 253; Checks on county government in, Lapp, John A., A. 248-254; County commissioners, powers of, A. 250; County Government, reforms in, A. 251; County officers in, A. 248; Taxation in, A. 253.

Insane in Pennsylvania—Sewage conditions bad in institutions, R. 74; Unlicensed almshouses, fire risk great, T. 70-72-74; Unlicensed almshouses, none provided with proper means for caring for insane, R. 80-81; Possibility of patients remaining near home and receiving visitors, R. 83; More individual care and avoidance of "massing together" in large institutions, R. 85-87; More home-like surroundings and avoidance of institutional atmosphere needed, R. 87; Lower maintenance cost, especially for chronic insane, R. 88-89; Greater opportunity for occupation, R. 83-84; Relative merits of state and county care, R. 87-88; Tubercular patients not isolated in same institutions, R. 24-25-45-49; Sewage conditions bad, R. 24-25-30-32-35-36-40-48-51-54-57-65; Medical treatment insufficient, R. 23-26-33-39-44-46-55; Institution No. 35 best county hospital in state, R. 58; Fire protection insufficient, R. 24-27-34-36-40-43-62; Uniform method of commitment should be established, R. 93; County institutions, lack of uniformity in business and medical methods, R. 92; Care of patients, good in some institutions but neglect great in others, R. 91; Care of patients, uniform and satisfactory standard should be established, R. 79-80.

See also *Hudson County, N. J., Pennsylvania Charities.*

Iowa—Removal of county officers in, A. 22.

Jail—See *County Jail.*

Judicial System of State, Unified—Ministerial side closely related through clerks of County and State courts, B. 63; Departments made up of three general ones, government of—by council of judges—Chief Justice the head of, B. 60; Constitutional changes needed, B. 64; Appointment of not necessarily for life—chief justice—appointing power—elected for short term only, B. 61.

See *courts, county courts, Cook County, Ill.*

Judges—Appointing power freed from dependence upon party organization, B. 61; Expert selection of, B. 61; Should collect statistics of district magistrates and report to chief justice, B. 62.

Jury Reform—See *Hudson County, N. J.*

Jurors' Certificates, in one instance, issued to dead men and money due drawn from county treasury, E. 14.

Justice—Administration of, should be centralized in one county judge, B. 53; Cost of administration should be reduced, B. 15

Justices of the peace—cases under, should be under supervision of county judge, B. 56; Inefficiency of and but little supervision given to wish of, B. 52; Office of still retained although unsuited to present conditions, B. 52; Own salaries still collected by, B. 51. See also under *Missouri.*

Libraries, establishment of, in several states, O. 610; County library laws re-passed in several states, O. 610; Local subscription libraries, inefficiency of, O. 610; Scarcity of and great need of, O. 609-610; Should be supported by taxes on all taxable property of the county, O. 610; Should be managed by trained librarians, O. 610; Should have branches in all towns, villages, and schools of county, O. 610; Work accomplished by, O. 610; Van Wert County, Ohio—Organization of Brumback Library and work accomplished by, O. 611-613.

Long Ballots, system and the county, A. 7.

Los Angeles County—Weakness of charter, A. 10; Provisions of, A. 233-236; Advantages of, A. 9-10; Called the "First Short Ballot County," C. 1-2; County government and charter, A. 3-9-10.

Louisiana—Parish government—education, improvements in, A. 43; liquor traffic, regulation of, A. 45; Parish officers, election of, A. 42-43; Paupers, care of in parishes, A. 45; police jury, duties and functions of, A. 41; Public health and sanitation in, A. 45; Road improvement in parishes of, A. 43-44; Taxation, A. 42-46; Drainage work and construction, A. 44-45; Article by Scroggs, Wm. C., A. 39-47.

Magistrates—Selection of by experts would promote efficiency, B. 57.

Maine—Judge of probate in, A. 28.

Manager—See *County Manager.*

Massachusetts—County appointments, civil service, A. 144-147; County rings in, A. 142.

See also *Boston, Suffolk County.*

Merit System and the county civil service, Robt. W. Belcher, A. 101-111; Old employment, not used and bad results, A. 102; Should be applied to county and municipal officers, T. 8-9.

Mosquito Commission—every county in New Jersey has one, D. 2.

Milwaukee County—Centralized charity department needed, H. 17-18; civil service needed, H. 9; Long ballot and disadvantages of, H. & G. 7; Offices, duplication and difficulties of amalgamation, H. 4; Present organization described by chart, H. 6; Finance, no legally binding appropriations possible, H. 15; Finance, budget, any department may overdraw its appropriation and to incur deficits is possible, H. 15; Board of supervisors, membership reduced in 1911, H. 6; Lack of centralized control and centralized purchasing, H. 7-8; Boards of trustees, proposed abolition of and need of centralized control of institutions, H. 15; Constitutional provisions of 1848 and 1881 are still in force and difficulties owing to changed conditions, H. 5; County boards, inefficiency of due to size and creation of small boards of trustees to manage institutions, H. 5; County poor, cared for by several independent departments, H. 8; Sheriff budget 1915 suggestive outline of, H. 14-15; Lack of centralized control and accounting system defective, H. 9-12; Institutions, proposed method for co-ordination between, H. 16-17.

Missouri—Auditing and accounting system inefficient, A. 55-56; County government in, Loeb, Isidor, A. 48-61; Organization of, A. 48; County officials, election and term of office, and compensation of, A. 52; Justice of the peace system in, A. 49; Poor relief conditions bad, A. 56-58; Public health

administration in counties of, A. 60; Public schools, improved conditions in, A. 58; Taxation, administration of, A. 53-55; Township organization by county in adoption of, A. 48.

Municipalities in New York State, difficulties of to keep departments within appropriations, B. 46.

Nassau County, N. Y.—County treasurer, shortage of about \$45,000 in office of, resulting in suicide of one officer and punishment of the other, E. 14.

New England—County government in, Updyke, F. A., A. 26-38; county auditors and comptrollers, duties of, A. 33-34; Budgets, A. 34; Coroners, appointment of, A. 35; County ring, absence of, A. 92; Dates of creation of, A. 26-27; Courts, jurisdiction of, election and terms of officers, A. 28-29; Register of deeds, A. 35; Sheriff, election and duties of, A. 29; Short Ballot reform, need less urgent than in other states, A. 26-37; States' prosecuting officer, term and office, A. 30; County officers in, A. 36 County treasurer, appointment and term of office, A. 33; Uniformity in counties, lack of, A. 36; Conventions of Connecticut and New Hampshire, A. 34; Vacancies in office of, A. 32; County commissioners, election, powers, and duties of, A. 30-32.

New Hampshire—Sheriff in, A. 29; Judge of probate in, A. 28; County representatives, conventions of, A. 21; County as poor relief distributor, A. 27; Clerk of court in, A. 28.

New Jersey—The movement for county reorganization, A. 255-257; Sheriff, power of unrestricted, A. 257; Elective county officials in, A. 81; Jury system, reform in, necessary, A. 256; County attorney and prosecutors appointed by governor, A. 275; Civil service in counties of, A. 101-108; Board of freeholders, A. 253; County government, lack of uniformity due to unrelated boards, commissions and officials, D. 2-3; County management in, Paul W., D. 1-6; Reform in, small board of freeholders, with absolute power to run county, same to be held responsible, proposed program for, D. 6; Lack of centralization, because of too many unrelated, independent boards and officials, D. 18; Supervisor of county as a check on, D. 6; Small board of nine freeholders voted for, as substitute for large board, D. 4.

See county collectors, Hudson County, Essex County.

New York State—County inefficiency, diagnosis of, E. 15; Constitution, hindrance to good county government, in its present form, B. 83; Constitutional convention, amendment to, proposed by conference for better county government, B. 85-86; Accounting systems defective, A. 263-264; County government in, Otho G. Cartwright, A. 258-270; Need of chief executive, A. 258-261; Civil service administration in, A. 105-6; County government, defects in, A. 4-258; County officers, relation of to the state, A. 259; Act to provide an alternative form of county government and creating the office of county manager in certain counties, C. 25-28; Constitution, Boards of supervisors, stipulations of, re C. 18; Boards of supervisors, constitution stipulates that the legislature shall determine composition and election of, C. 18; Members, number of should be reduced, C. 16; County Manager, appointment of, by small commission would improve government in, C. 17; Executive control should be in hands of, C. 17; Difficulties of fundamental one is the lack of administrative heads, C. 15; Officials, number should be reduced and commission idea substituted, C. 16; Rural counties, taxation, assessment of property considered a local matter and results of, C. 16; Taxation, assessment, valuations kept down by supervisors, C. 16-17; County Budgets, should be under control of board of estimate, C. 17; County Government, officials, elective officers under constitution are the district attorney, sheriff, register and county clerk, C. 19; Powers, greater power to control its own affairs necessary, C. 22; City courts, under supreme court would be an improvement, C. 17; Public records, instances of great neglect in, and in one case were destroyed, C. 8; State Comptroller, budget appropriation, analytical plan of, re in 1910, C. 11; Law in re-printing of town and county accounts investigated by, and results, C. 12; Rye, town of, Westchester County, taxes collected more closely and inexpensively than any other town in county, C. 10; Municipalities, taxation, uncollected tax levies, A. 268; Counties should have power to make charters, C. 17; Taxation, conferences of officials, advantages of, A. 262; County, elections of 1910, A. 94.

Proposed law for county reorganization in, Boards of supervisors, board of three new members to be elected at large in counties, to be known as "county supervisors," who would succeed to powers of present board, C.;

- County supervisors, C. 18; Election of small number of, with power to appoint county manager, who appoints all other officers, would be flexible plan fitting all counties, C. 23; Members to be elected in rotation to give a continuing board and reduce number elected at one time to a minimum, C. 19; Should have power to select all other statutory officers, C. 19; Qualifications of, same as those for Boards of Supervisors, C. 15; Removal of to be by governor after investigations of conditions, C. 18.
- New York City and County—Raymond Street Jail, and other correctional institutions controlled by, E. 2; Plan for consolidation of Greater New York, by Robert S. Binkerd, C. 14-17; Sheriff, income of, C. 3; Appellate Division of Supreme Court should control commissioner of jurors, C. 17; District attorney, one only recommended, C. 17; Officials, most of them should be appointed by Mayor, C. 17; Police Commissioner, should be sheriff of the city and county of New York, C. 17.
- North Dakota—State examiner in, A. 207.
- Officers—Positions still filled by "Spoils system," A. 101; Duties of, chiefly administrative, A. 98-99; Chief officers, appointment and removal, A. 92; Qualifications, A. 23.
See also county officers, civil service, merit system.
- Ohio—Attempt to secure better county government in, B. 4; Disadvantages of for state purposes, A. 194; History of, A. 182; Reforms of, laws re, A. 187-189.
- Orange County, N. Y.—County administration, 1913, conducted illegally, resulting in waste of public money, F. 1.
- Board of supervisors, illegal payments ordered by, F. 3.
- County clerk, failure of to collect fees required by law, F. 3.
- Treasurer, faulty accounting by, F. 2; Treasurer, large fees belonging to county retained by former treasurer, F. 2-3; No proper conception of his legal duties, F. 2; Present treasurer improved conditions found, F. 4; Money appropriated without regard to necessities of and expended without regard to amount available, F. 2; Poor fund, administration illegal, F. 3; Poor fund, lack of co-operation between officials in administration of, F. 3.
- Taxes, insufficient amount levied and not collected and deficit financed by illegal issue of notes, F. 1.
- Overseers of the poor, scattered over the county, having power to commit cases, D. 9.
- Oregon—Taxation system, A. 271; Centralized authority, lack of, A. 271; proposed changes in government of, A. 272.
- Parks—*See Hudson County and Essex County, N. J.*
- Party organization, county as unit for, A. 86.
- Paul, Winston—The movement for county reorganization in N. J., A. 255-257; The county employee, A. 81-84.
- Pennsylvania counties—charity functions of, Harris, Ella F., A. 166-181; State constabulary, record of service, B. 72.
- Pennsylvania Charities—Children, care of, improved by establishment of aid societies, A. 179-180; Defectives, care of, A. 177-179; Insane, care of, A. 173-177; Poor, outdoor relief, system of 1705 still in use, A. 169; Vagrants, care of, A. 170-171.
- Penitentiary—*See County Penitentiary.*
- Politics—simplification of, short ballot, a means of, B. 77; Simplification of necessary to give people control of government, B. 77. *See also County in Politics.*
- Political unit—county as, A. 98.
- Poor—Children, care of, administration of overseers of poor, lack of co-operation between, D. 9; Cases cared for in designated Co. Institutions at state expense, in N. Y. State, D. 10; Superintendents of, in N. Y. State, families, maintained illegally and clothed at county's expense, E. 14.
See also Illinois, Louisiana, Macy, V. Everitt, Milwaukee County, New Hampshire, Superintendent of the Poor.
- Press—Freedom of, control of by political parties, D. 20.
- Printing Problem—Rests with board of supervisors, chiefly to distribute much money spent fraudulently, D. 20; Distribution of official printing in Westchester county, B. 10-11.
- Prisons—Should be controlled by one or more boards of managers, E. 7.
See also County Jails, county penitentiary.
- Prison Commission in England—Correctional institutions, all controlled by, E. 6-17.
- Prisoners—Classification of in county jails required by Prison Commission in New York State, E. 4.

Prosecutor of the pleas—appointed by governor in New Jersey, D 2.

Public Health—State regulation of necessary, T. 10.

Public Officers—Little improvement in possible until filled with competent, conscientious officials, E. 19.
See also County Officers.

Publicity—as a means toward better government, B. 65.

Public prosecutor—powers of, A. 120-121; Limitations of, examples, A. 123-133; Freedom from accountability, A. 120; His powers, temptations and limitations, Gans, Howard S., A. 120-133.

Public Records and documents—centralization of necessary for direction of government, B. 6.

Purchasing agent, if competent can reduce work of auditor, B. 44.

Raymond Street Jail, New York City—under local N. Y. City government, E. 2.

Reformatories — Establishment of in New York, E. 3; Lack of central control, E. 7.

Register of deeds—*See under New England.*

Residence limitations—None should be imposed on engineers or bureau chiefs, T. 289.

Review—Boards of, in counties, A. 221.

Representation—County as basis for, A. 88.

Rockland County, N. Y.—County treasurer, large shortage disclosed in office and official served a prison term, E. 14.

Rural counties—Coroner, inefficiency of, T. 3; County officers, appointment of under new commission, T. 2; County officials, some are unnecessary and number could be reduced, T. 2; Courts, appointment of other than court officials inadvisable, T. 2; Shorter ballot needed, T. 2; Government by five commissioners in which all power and responsibility are centralized, recommended, T. 1.

San Bernardino County, 1; Charter and government of, C. 4.

San Francisco and Denver, consolidation of government and benefits of, T. 7.

Schenectady's city-county plan, by Benedict Hatmaker, B. 82-84; County, annexation of, to, B. 84.

School affairs, county administration of, in its relation to the State Department, Harrin, Frank H., A. 153-165.

Seattle—Need for consolidation, T. 7.

Sheriff—Appointed at one time by governor in N. Y. State, A. 275; Ap-

pointment, T. 10, Leading factor in State Constabulary, B. 70; Powers and duties as leading factor in, should be defined by legislator, B. 71; And a state constabulary, by Ernest Cawcroft, B. 65-72; Public peace, duties as defender of, B. 69; Historical growth of office in England, B. 66-67; County government better, if historical prestige and pristine vigor were restored to B. 66; Families of, maintained illegally and clothed at expense of county, E. 14; Deputy sheriff, often succeeds sheriff and is connected with county jail, E. 2; Difficulties of too many to work against, E. 4; In New York—always between board of supervisors and state authorities and position of very hard, E. 3-4; County jail and county penitentiary under control of, E. 2; Fee system, existence of, in only three counties, duties so heavy he is only able to keep general track of jail administration, E. 2; Duties of, could be more efficiently performed by state constabulary, E. 18.

See also State Constabulary, Cook County, Ill., County Jail, County Penitentiary, County Prisons, Illinois, Milwaukee County, New England, New Hampshire, New Jersey.

Short Ballot for counties, B. 17-19; Use of in elections of needed, A. 97.
See also Alameda County, Cal., Illinois, New England, Chicago, Rural counties.

Short Ballot movement—First political reform seriously involving county government, C. 2; First Short Ballot County, Los Angeles, Cal., C. 1-2; Short Ballot Organization, work of, re simplification of county government, C. 13.

State Constabulary—value of, B. 172; Militia relieved of quelling tumults by, B. 71; Could perform duties of sheriff more efficiently, B. 18; Duties of sheriff could be more efficiently performed, E. 18.

See also Sheriff, State Police.

State Comptroller of N. Y.—authorized to employ not more than two examiners of finances of municipalities, E. 12; authorized by law of 1905 to examine county accounts, E. 12; Duties of to examine and not to audit, E. 21.

State district farm in New York—Colonies, establishment of for short time offenders necessary, E. 8.

State Police, duties (Pa.), Q. 3-4; In New York State, regarding need of, Q. 7-12; Creation of much needed on account of prevalence of crime, Q. 1-3-6; Examples of work of in con-

- nection with murder, cruelty to animals, arson, robberies, black-hand, fire protection, etc., Q. 12-23.
- State Prisons**—many reformatory methods started in, E. 3; Little attention paid to until 1870, E. —; In New York (Elmira) minimum sentence for forty years, abolishment of, leaving only maximum, E. 8; In New York, administration of, faulty, because of politics, E. 6.
- State Reformatories in New York**—Have set the pace for the whole country, E. 3.
- Statutes**—Interpretation of by boards of supervisors, giving to boards unlimited powers in cases not specifically forbidden by law, E. 17.
- Suffolk County, Mass.**—Segregated courts, old system retained, A. 139; Judicial functions of, A. 134; Judicial decision, lack of uniformity, A. 139; Courts of inferior jurisdiction in, A. 135-138; Civil trials, duplication of and remedy for, A. 140-142; Courts, centralization, lack of in, A. 139; Business of, uneconomic administration, A. 140; Administration of justice, delay in, A. 135-136; And city of Boston, administrative consolidation of incomplete, T. 6.
- Sub-divisions of County**—relation of the county, B. 19.
- Superintendent of the Poor**—Directly responsible to board of supervisors, D. 9.
- Supervisor.** *See Essex county, N. J.*
- Taxation**—Administration, efficient and economical impossible under present system, B. 40; Assessing board elected by people for a long term, well paid and composed of expert honest members, necessary, B. 32; Classification of property for taxation purposes, confusion of, B. 35; County board of assessors in New York would mean employment of efficient assistants, preparation of tax maps and systematic methods, B. 34-35; Board, by governor appointed, D. 2; County boards or commission of three or five members needed to assess value of property, be used as the basis for all local taxation, E. 19; County treasurer, receipt of should clear taxpayers of all taxes for the year, B. 39; Should appoint deputies, for localities to receive taxes, B. 39; County assessment, system of, A. 219-220; Central supervisors in a single county, B. 37; Local, in Ohio, administration of, Coker, F. W., A. 182-198; Present district school system very defective, B. 36; Property values system in New York of assessing and equalizing of, should be entirely changed, E. 19; Reforms suggested, A. 224-226; Suggested improvements in system in N. Y. State, B.; State supervision and inspection of county assessors and assessments necessary, T. 10; Tax commissioners, work of in counties, A. 215; Town assessors, undervaluation of property by, B. 32-33; Town collectors, compensation, system promotes inefficiency, B. 38; Tax collectors, in N. Y. State, hundreds of dollars retained by town collectors in one case, E. 14; Values jacked up to full 100 per cent in New Jersey, D. 2. *See Illinois, Indiana.*
- Taxpayers**, no statement or receipt received by in many counties, B. 39.
- Tax sales**—advertisement of excessive, C. 3.
- Towns**—Undervaluation of in, reasons for, B. 32; Supervisors, meetings of little value, A. 263; Poor cases, confused with county cases, need for investigation of circumstance, residence, etc., of cases, D. 9-10.
See also Illinois, Missouri.
- Township**, review of, lack of, A. 220.
- Treasurer.** *See county treasurer (under County) New England, Orange County, N. Y., Rockland County, N. Y.*
- Tuberculosis Hospitals**—D.
- Tuberculosis campaign** — State-wide movement for special institutions on public health basis rather than on a pauper basis, D. 8.
- Urban counties**, growth of, A. 15.
See also New York, Suffolk County, Cook County, Chicago, Alameda County, Los Angeles County, Milwaukee County.
- Vermont**—County judges, removal of, A. 28; Sheriff in, A. 29.
- Vital statistics**, registration of, A. 117.
- Washington**—County officers, removal of, A. 22.
- West**—County officials, terms of office, A. 21; County as political unit in, A. 15.
- Westchester Co., N. Y.**—Almshouses, reform in conditions of started in efforts for improvement of, D. 7-8; Board of supervisors, no steps taken by to recover money said to have been illegally paid to former county clerk, E. 18; Board of supervisors, notification re the retention of liquor license fees by county treasurer resulting in increase of treasurer's salary with permission to keep fees, E. 17; Expenses for printing and binding for six years, D. 23; Fees, questionable fees charged by town officers, P. 8-25-27; Taxation,

auction sales, few prospective buyers appear and town holds properties for redemption, P. 8-24; Penalties and costs charged against the town and relieved in following year as part of town budget, P. 24-25; Leases, failure of tax lease, P. 8-28-32; Tax collecting, method and cost of, P.; Tax law, principles of and defects in, P. 6-7; Tax sales, conducted under county tax law, P. 17-18; Records, recording incomplete, P. 8-27-28; Tax sales and redemptions, advertising rates not uniform, P. 7-8-23-24; Tax law—(Brief summary), P. 18-29; Execution of, showing various interpretations of and departures from, P. 22-32; Cartwright, Otho G., What we have unearthed in Westchester County, C. 6-13; Accounting, systems inadequate and antiquated, C. 7; Town and county accounts, law reprinting of, useless and created great expense, C. 12; Administrative departments—Chart of organization of, made by research bureau, C. 8; Waste and extravagance found in, C. 8; Administrative officers—widest divergence in, found by comparing one with the other, C. 8; Auditing, bills audited occasionally by acclamation, C. 13; Committee system used and details re, C. 12; Budget—Classified budget adopted by, C. 10; One of the worst conditions found in the county and details re, C. 10; County clerks—illegal collections made by, C. 2-3; County officers, chart outlining organization of made by research bureau, C. 8; County officials, salaries, Large sums paid out, C. 13; Only one county department carrying a pay roll, C. 13; Laws—Neglect and violation of, in many cases due to lack of knowledge, C. 7; Over a thousand special laws for passed, C. 8; Complex and

confusing mass of, affecting different communities in varying degrees, C. 7; Public health—unnecessary sickness and deaths from diseases due to inadequate sanitary inspection and control, C. 7; Public record—bad conditions found, C. 9; Purchasing Department, extravagance of and bad conditions found, C. 13; Rye, town of; taxes collected more closely and inexpensively than any other town in county, C. 10; Sheriff's Department, only one carrying a pay roll, C. 13; Taxation—Collection and assessment, cost of, \$150,000, when it could be done for \$50,000, C. 9; Officials, two hundred and twelve in number found doing the work of ten, C. 7; Systems inadequate, wasteful and unsatisfactory, C. 7; Tax bill drawn up containing some of the recommendations of the Westchester County Research Bureau but leaving out important ones, C. 10; Tax collector, law re, and some defects of, C. 9-10; Tax law re compensation for collector of taxes, some defects in, C. 10; Westchester County Research Bureau, Budget, work of bureau re and recommendations made by, C. 11; Purpose of, to locate waste and mismanagement and report to head of proper department for correction, C. 6; Taxation, collections, methods and remedies for uniformity in and reduction of, P. 32-40; County treasurer—issuing of fees for liquor licenses retained by, in addition to fixed salary, E. 17; Unpaid taxes, collectors' returns, reviews of by town board seldom made and delinquent taxes sometimes re-levied, P. 7-22-23.

Wisconsin—County officers in, removal of, A. 22.

Wyoming—State examiner in, A. 207.

PROCEEDINGS


OF THE

First Conference for Better County Government in New York State

Schenectady, N. Y., Nov. 13-14, 1914

Price 15 Cents

For additional copies apply to Otho G. Cartwright, Secretary, The County
Government Association of New York State, 15 Court
Street, White Plains, N. Y.



ORGANIZATION FOR BETTER COUNTY GOVERNMENT

The Conference for Better County Government was called by a local Committee of Arrangements at Schenectady, consisting of Prof. Frank S. Hoffman and Messrs. A. L. Rohrer, William Dalton and Philip Toll Hill.

The New York Short Ballot Organization co-operated by taking over many of the details or organization.

Invitations to the conference were sent to the various boards of supervisors, to a selected list of state officials and to all civic bodies and individuals who were supposed to be interested in better county government.

About twelve counties were represented: Nassau, Westchester, Oneida, Rensselaer and Schenectady counties sent members of the Board of Supervisors. Erie County was represented by Mr. George S. Buck, County Auditor.

Among the organizations represented were the Westchester County Research Bureau, the Nassau County Association, the New York Short Ballot Organization, the City Club of New York and the Municipal Government Association of New York State.

This was the first attempt to present in a comprehensive way, to the people of New York State, the need for county reorganization. After the presentation of the various papers it was decided that the constitutional convention called for April, 1915, afforded a rare opportunity for constructive work and that steps should be taken forthwith to extend the knowledge of county government deficiencies and the principles underlying its reorganization, to the voters of the state.

Accordingly, the resolutions* calling for permanent organization and for taking action before the Constitutional Convention of 1915 were offered and adopted.

The County Government Association of New York State has been formed as a result of the conference and now has offices at 15 Court Street, White Plains, N. Y., in charge of Otho G. Cartwright, Secretary.

*See pp. 85 and 86.

PROCEEDINGS

OF THE

First Conference for Better County Government in New York State

HELD IN

Schenectady, N. Y., Nov. 13-14, 1914

FIRST SESSION

Friday Evening, November 13, 1914

[The meeting was opened by Dr. Frank S. Hoffman, who introduced Dr. Charles Alexander Richmond, President of Union College, to make the address of welcome. Dr. Hoffman said:]

"Gentlemen: We are fortunate in having with us tonight the president of this college. When I saw him this afternoon he was suffering from neuralgia, and I was fearful he might not be able to come. But he is here tonight and will address you in his own inimitable way about the things to which we welcome you here, among others, this chapel and this college. This college was founded more than a hundred years ago—the first college this side of the Hudson River—and we have been celebrating this year the removal from the little building down in the center of the old town to this spacious campus a hundred years ago last October. Dr. Richmond will also welcome you to this old city, more than two hundred and fifty years old, and this old county of Schenectady. I think you will agree with me that he is the proper person to give you this welcome, and I am very glad to have you have the opportunity of hearing him. Dr. Richmond."

ADDRESS OF WELCOME

DR. C. E. RICHMOND, President of Union College

"Professor Hoffman and Gentlemen: I will let you into a secret: the reason I had neuralgia was because I tried to understand that chart showing the county government.

"I have looked at your chart.* I have referred to it before,

*See p. 3A.

and I suppose you have looked at it. If it is intended to illustrate the complexities of the subject, I am sure you realize you are facing some task. These complicated lines leading from one center to another, if you will look at it again you will realize what I mean, are enough to bring confusion to the senses and despair to the mind, and I suppose that is the thing which the man who drew it intended should be accomplished, showing the complexity and confusion which exists in county government.

"And that is why, as I understand it, you are here to try to simplify at least that phase of the great question of government. No doubt it is true that all government tends constantly to complexity, and the paralyzing question which is always facing us is how shall we keep our government simple. Whatever may be true of a government, such as the Empire of Germany, whatever may be true of other countries, it is certainly true of a democracy that we must keep the government at its practicable minimum; that is to say, we shall be governed as little as possible. It was our boast that we are a self-governing people, but I think we all agree that we have too many public officials; and we have too many names on the ballot.

Complex Citizenship

"I had an experience on Election Day which I will tell you was an illuminating one. I went down to our voting machine with the best intention in the world to use both my intelligence and my conscience. I had found I needed both. I voted for all the men I wanted until I came to the delegates to the Constitutional Convention. I did not want to vote the party ticket, but I saw no prospects of doing otherwise; I saw only blank spots. I called out in my despair, 'I want to vote a split ticket!' Two friendly gentlemen opened the curtain, looked carefully to see how I had voted and then handed me some pasters, sticky side up, covered with names—the names of all the candidates of all the parties of the delegates to the Constitutional Convention. And they said, 'You tear these off and you stick them on and then you draw the curtain.' It took some time. For instance, I wanted to vote for Judge Cullen and Senator Root. It made complications. I heard low grumbles and some chuckles which were not soothing to the ears of a director of the morals of youth. I was exceeding my time. I was told in stern tones that I was taking five minutes. I had already taken five minutes, but I protested from the inside that I was trying to vote intelligently. Finally I found

my way out and struggled down a long line of angry faces. I was told later that others had wished to vote a split ticket, but only half a dozen had tried to; the rest voted the straight ticket.

"Now, that is to my mind an illustration of how essential it is to simplify the necessary duties of citizenship. The simpler they are the better the chances of having them performed intelligently and conscientiously; that is why I am for the short ballot and I hope you are. I want to know the man I am voting for; and I also want to know who is responsible if things are done nefariously. We are never going to get good government in the county or anywhere else until we come to the point where we have devised a plan by means of which we may trace the responsibility and hold each man responsible for the conduct of the trust which we have committed to his hands.

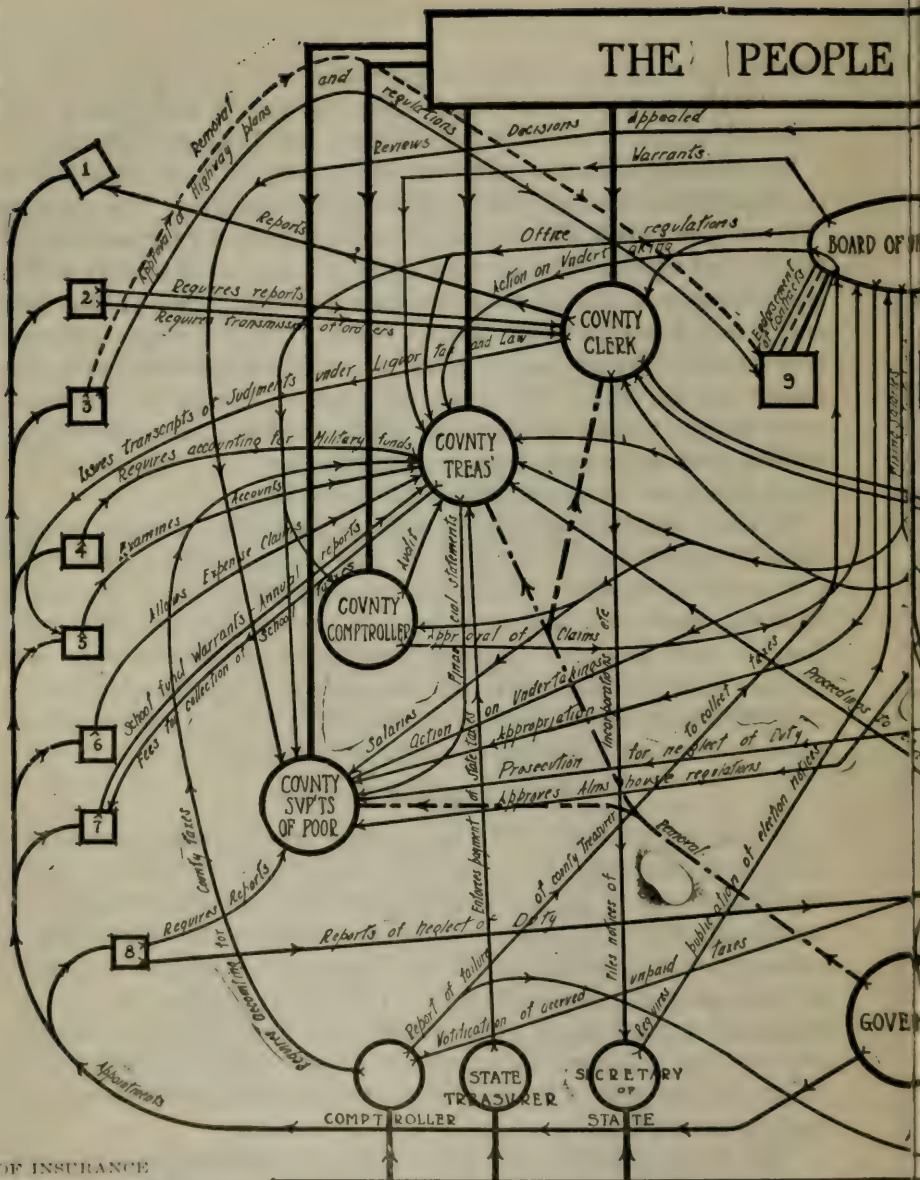
"I wish, gentlemen, that I had the sagacity of some of the statesmen who have been boys in this college, such as Mr. Seward or John Bigelow, or even of the sagacious Dr. Nott, but I have not, and I shall only be able to sit at your feet and learn wisdom. I wish to assure you that you are very welcome here, and further that you have not only the good will, but also the active co-operation of Union College in your attempt to solve one of the many and vexing problems of public government."

Prof. Frank S. Hoffman

Professor Hoffman: "We have many organizations to promote better government. We have the Conference of Mayors doing excellent work. I have attended many of their conferences and have been much interested in them. They were started by a former mayor of Schenectady, Dr. Duryea, and have been carried on with great success and profit. I attended the last one at Auburn, and a great many good things were discussed. In addition we have the Municipal Government Association attending to the affairs of the cities; so that all these different departments are well represented.

"But when attention was given to what organization we would call upon to help along this matter of county affairs we were surprised that there was no organization in the state to help this along, and we turned, just at the place where we should turn, to The New York Short Ballot Organization, of which Mr. H. S. Gilbertson is secretary, and they have done practically everything to bring about this conference. They give the services of their secretary and their office to help on this conference, and I want you to know it.

THE PEOPLE



- 1—SUPT. OF INSURANCE
- 2—SUPT. OF BANKING
- 3—STATE HIGHWAY COMMISSION
- 4—ADJUTANT GENERAL
- 5—STATE COMMISSION OF EXCISE
- 6—STATE BOARD OF TAX COM'RS
- 7—COMM'R OF EDUCATION
- 8—STATE BOARD OF CHARITIES

THE PEOPLE C

THIS IS A NEW YORK COUNTY—ALL OFFICERS ELECTED INDEPENDENTLY
LAWS, HEADLESS, IRRESPONSIBLE

OF THE COVNTY

RELATIONS OF THE COUNTY TO THE STATE

THE STATE

9—COUNTY SUTP. OF HIGHV.
 10—JAIL PHYSICIAN
 11—COUNTY SEALER
 12—COMM'R OF AGRICULTURE
 13—PRISON COMM'R
 14—COMM'R OF LABOR
 15—COMM'R OF HEALTH

[3A]

“As a matter of fact, this is the only conference of the kind that I know of ever being held anywhere. Two states have attempted to do a little in this matter of county government, California and Ohio, but little has been done in the East in the way of making amendments to the county law. If you should examine the county law on the subject of the management of counties you would find that on its ground work have been piled up more amendments, a good many more in some places than the original foundation, and the original foundation is not big enough to carry them, and it has got to be so complex that the diagram which has been referred to only dimly reflects the truth. It is so complex in many cases that one hardly knows what to do about it.

“The object of this conference is only to try to do something to bring the people together. We have no program to propose to you. We want you, in the light of the experience the speakers will present to us, to make up your minds what can be done to improve our county government. I want it expressly understood that we, as a committee, have no intention whatsoever of imposing anything on this conference—which is as free as air to make up its own mind and do as it pleases—but we hope that as the result of its deliberations something will be framed approaching at least a suitable memorial to the Constitutional Convention. Twenty-four hours is a very short time.

“Many of our city conditions have improved in the last ten years. I suppose many of you are aware how extensively the commission form of government has taken the place of the old form; but this matter of county government is just being touched, and for that reason this is an important company, the pioneer conference on this subject. I have taken the liberty of sending this general circular to many people outside the state—and some of my replies are very interesting—just to call attention to what we are doing. They are looking to this place to find what they can in our efforts that would help them, and I have no doubt the addresses that are given here will be widely circulated all over the United States, and I congratulate those who have been asked to read papers.

“I will ask Mr. Cartwright to present to us his paper.”

SOME NEEDS TO BE CONSIDERED IN RECONSTRUCTING COUNTY GOVERNMENT

By OTHO GRANTFORD CARTWRIGHT,
Director of the Westchester County Research Bureau

"We have learned a great deal in the last three or four years about the public affairs of Westchester County. We have published some things about them. The results of our publications and propaganda have been in one direction to awake unwonted interest not only in the county's public business, but in that of the local municipalities, which are either sub-divisions of the county or independent minor municipalities. In another direction it has been to establish several important improvements in method, and economies in result, of administration. In still another direction it has been to antagonize bitterly partisan leadership and the beneficiaries of such partisan leadership, whose revenues from county patronage have been correspondingly reduced. The most hopeful result that it has revealed is the fact that public officials are willing to act upon suggested improvements and to adopt them both in securing legislative enactment and in improving official practice under the existing law. It has also revealed the fact that partisan leadership will work for such improvements so far as can be risked without encouraging public demand for good government to a point where it may endanger the predominance of the party boss.

The High Cost of County Government

"So many things are needed to bring public service in the counties of our state up to ordinary business efficiency that if I were to read you a detailed list of them I fear there would be few auditors left in the hall to listen to any subsequent argument. I can only tell you of some of the most important matters in which there is room for increase in efficiency in both the amount and character of service rendered and great possibility for decreasing enormous cost, for it does cost nearly a million and a half dollars a year to run Westchester County, and it costs eight or ten millions a year to run all the various governments in the county; whereas, **under a simple organization fully one-half of that cost might be saved.** I am free to make this assertion. With a simpler system of law and of government organization, not only the county needs now served, but also all the more important of those which are not now served could be taken care of much more amply than now for less than half the present cost.

Fewer Officers

"The first need of the county is centralization of power and reduction of the number of officers. The county has already achieved the reduction of tax collectors from something over 200 to less than fifty, and in doing so they brought about much greater efficiency in the collection of taxes. The new law goes into effect the first of January, 1915. What it will achieve in the matter of economy remains to be seen. There are several points in which the bureau has criticized it, but most of these can be amended, and no doubt effort will be made to have such amendments passed as soon as possible. Now the bureau further states, without hesitation, that these forty odd officials could be reduced to a dozen, with still greater efficiency in the collection of taxes and certainly much greater economy. The bureau further confidently asserts that the number of men in the total civil service of Westchester County (not simply the competitive service) could be cut in half, and the salaries of most of the department heads could be cut in half, and still the country would receive better service than it has ever known.

"Enough has been said about the nondescript nature of the functions of the County Board of Supervisors, of its irresponsibility, of the blundering character of its business transactions and of its inability to get anything done quickly or efficiently, to obviate the need of my criticising that body in this convention. Without reflecting on the individual members of the board as men, most of whom in our county I honor and respect as good citizens and conscientious public servants, the Board of Supervisors as an institution is an incubus wished on the county by previous generations, who, undoubtedly anticipating the modern demand for antique heirlooms, wanted to give us something the mere mention of which would always remind us of the bygone days. I think it unnecessary to enlarge upon this topic. We need in its place a small, efficient group of two or three powerful officers who can do things quickly and well and are directly responsible to the people of the county.

Centralization of Public Records

"The second need is centralization of public records and public documents; central offices where we may obtain full information about our public business, and a central office from which uniformity of accounts and records and detail of governmental procedure may be enforced and directed throughout the local mu-

nicipalities of the county. We have some central record offices, such as the county clerk, the register and the Bureau of Elections, which are all, by the way, branches or offshoots of the county clerk's office. But the records contained in these offices are only a part of those which ought to be there. All township records of taxation, all tax maps, all proceedings of local municipal government, all documents and records which could possibly concern the transfer of a piece of property or the transaction of a piece of business between two separate parties ought to be on file at the county seat. A county information bureau, if we may call it such, is a very great and pressing need, which is served in hardly any capacity in New York counties.

"Another need is for some means of bringing together at the county seat, as often during the course of a year as is necessary, all holders of like offices in the various townships of the county for the purpose of instructing them as to the nature of their duties, and the proper manner of performing such duties, and the proper time and order in which duties should be performed, and of instructing them in the use of proper forms for records, accounts and reports.

Getting the Town Officers Together

"For example, it is of the highest importance that all of the town clerks of the county should meet at least once a year and receive instructions from the State Comptroller's examiners as to how to make out their reports of audited town bills, and to have specimen reports made out by them for criticism and returned to them for correction. It would be of the greatest importance, a service of the highest value, to all the communities of the county to have the tax assessors of the various towns meet at the county seat, or, say, at the most central and convenient place for such meeting in the county, to be instructed how to make out their tax rolls, to adopt uniform principles of valuation of their assessments, graded and modified according to location and character of the properties to be assessed; to make out, under the eye of an expert, specimen pages of tax rolls; to calculate under some such plan as the Somers' scheme for valuation, the proper amount for which to assess irregular and oddly situated pieces of property. These matters may all be reduced absolutely to a scientific basis, so that valuations may be proportionately uniform throughout the county, and counties uniform in such matters throughout the state.

"It would be of the utmost importance for the tax collectors to have a similar convention, to learn how to make out their tax bills and how to keep records of taxes received and disbursed, and how to make reports of their proceedings. And so on I might run through the list of township officers.

County Officials and County Laws

"We have talked a great deal in our bureau about uniformity in local administration; about the necessity and advisability of training our local administrators in both knowledge of the law and familiarity with forms and procedure, and the undoubted wisdom of providing for their guidance a code of instructions (duly sanctioned and authorized by the Legislature, if necessary), which should show each particular official all the duties of his office and give him specific direction as to how, when and where he should perform each of such duties. Even under the inefficient system of government in our counties, in our towns and other local municipalities that we now possess we could make very satisfactory progress, achieve economy, efficiency and much more satisfactory service for the needs of our various municipalities if we could choose more competent officials for our public offices; or if, after having chosen men who are themselves unprepared and poorly equipped, we could allow them a certain length of time in which to acquire the necessary preparation and training, and to pass satisfactory tests as to knowledge of the duties and functions of their office and as to ability to execute them properly before they were either required or permitted to enter upon those duties.

"The chances are not greater than one to one hundred that an officer will steal. They are one hundred to one that he will make blunders and mistakes and unwittingly perform illegal acts.

The Need for Trained Officials

"We have no schools for the training of men for public office, except such an institution as the Bureau of Municipal Research in New York, which trains men rather for the higher administration in big cities than anywhere else. No man who comes out of the training school of the Bureau of Municipal Research of New York City is willing to accept a position in government at a smaller compensation than \$4,000 or \$5,000 a year, which, of course, effectively eliminates such men from the possibility of public service in the smaller municipalities. Therefore, we may

say that we have no training school for public office for small communities, but we have multitudes of public offices that have to be filled in order to serve the community interests, and we work them on the foolish principle of short term and much rotation, putting a great many different people on the same job, with nobody trained to do it well. Sometimes we find a subordinate or clerk who has lasted through several administrations and learned the duties and functions of the office, and who serves therein as a schoolmaster for the head of his department when that functionary is newly chosen. It takes most of the new functionary's term of office to acquire knowledge of how to perform his official duties, and by the time his term has expired, if he is at all interested and competent, he becomes sufficiently trained to conduct his office in a satisfactory manner.

"Multiplicity of elections means usually the elections of popular men, and popularity is gained in a dozen different ways, the easiest and most taking of which are pleasing personality, good fellowship and free-handedness to those in difficulty. Multitude rule does not recognize the need of special means to get an end desired. 'Go straight to it' is the popular way. Trained services are scoffed at.

The Price of the "Free" Press

"This is the place where the public press should come into service to help educate citizens to better government service and to formulate opinions favorable to good public service.

"Perhaps the institution that we have cherished most in America as an agency of democracy is a free and independent press, the absence of restriction or censorship over such press or interference with it in anything short of libel, either by courts, sheriff or police or anything but popular will. We adore our idealized freedom to express individual opinion—freedom independently to lead popular opinion and belief. It is appalling, therefore, to find that the county press, whence flows the greatest and most powerful influence upon local public opinion, that newspapers which have wide circulation are at least partly supported and undoubtedly swayed by political patronage; that, in fact, if it were not for such political patronage probably a good many of these newspapers would be unable to meet expenses and would cease to exist.

"Under such conditions the newspapers, which derive their greatest revenue from printing awarded them as political patron-

age, cannot be expected to publish facts or figures tending to show maladministration on the part of the officers elected by their own party. Therefore, the first thing that a bureau of this kind has to encounter is how to inform the public of the existence of waste that it discovers and how to make the public cognizant of desirable improvements.

"Publicity through independent bulletin service is very expensive. In Westchester County, for example, a single bulletin that reaches the majority of the population costs in postage alone at least \$500. Our bulletins are always sent to the newspapers. About four or five newspapers reprint them. Then about fifty or sixty either ignore them or take particular pains to deny about everything said in the bulletins and criticize organizations that publish such facts, with this exception: bulletins that can be construed to reflect on one political party will sometimes be taken up by the papers of the opposite party and used as political capital, and vice-versa.

"Eventually, however, each set of papers realizing that the bureau is not a backer of either party, and cannot be relied upon as such, will begin to attack it, and finally papers of both parties refuse to accept publicity items—not only refuse to accept them, but deny their truth.

"You wish to know, perhaps, something about this pay of newspapers. I will give you some illustrative facts in Westchester County. Other counties in the state seem to be not quite so bad in this respect. I regret that this is a most important element of the situation in Westchester County. It is such, however, and one which we must find means to overcome before any far-reaching reform can be realized in public administration.

"The following list comprises papers that were designated officially to publish a lot of political piffle prescribed by special and general laws. Most of the matter published is of little use to anybody except as partisan patronage and as a source of income to the editors. It cost the county the following sums during the period from April, 1907, to April, 1913:

**Distribution of Official Printing in Westchester County
April, 1907, to April, 1913**

	Newspaper	Amount	Politics	Approximate Circulation
1	White Plains Daily Record	\$19,634.22	Rep.	2,200
2	Yonkers Daily News-----	16,970.08	"	5,000
3	Mount Vernon Daily Argus	16,233.46	"	5,000

	Newspaper	Amount	Politics	Approximate Circulation
4	New Rochelle Pioneer-----	\$13,278.16	Rep.	2,500
5	Ossining Citizen-----	12,470.93	"	1,000
6	Portchester Record-----	11,781.49	Dem.	1,790
7	Citizen Bulletin-----	10,809.01	"	1,000
8	Yonkers Herald-----	10,064.58	"	2,000
9	Larchmont Times-----	9,736.09	Rep.	900
10	Westchester County Re- porter-----	8,192.83	Dem.	1,750
11	Highland Democrat-----	8,055.08	"	1,750
12	Tarrytown Argus-----	7,913.00	Rep.	500
13	White Plains Daily Argus--	7,511.50	Ind. R.	2,500
14	Portchester Item-----	7,161.50	Rep.	2,034
15	Peekskill Daily Union-----	7,015.83	"	1,750
16	Eastern State Journal-----	6,685.00	Dem.	2,250
17	Mount Vernon Eagle-----	6,554.50	"	1,000
18	Yonkers Observer-----	5,437.50	"	2,000
19	North Westchester Times--	5,288.50	Ind. D.	1,200
20	Pelham Register-----	4,560.75	Dem.	750
21	Peekskill Review-----	4,530.25	"	2,000
22	Tarrytown Review-----	4,178.00	"	1,600
23	Dobbs Ferry Register-----	4,015.00	Rep.	900
24	Democratic Register-----	4,005.00	Dem.	2,500
25	Peekskill Evening News----	3,677.38	Rep.	2,100
	All Others (25)-----	33,684.67		
	Total-----	\$249,444.31		

The following table shows the distribution of all printing, including the above designations, for one year, 1911:

Printing Expenditure in Westchester County for the Year 1911

	Newspaper	Amount
1	Gazette Press-----	\$32,637.56
2	Yonkers Daily News-----	11,573.71
3	Westchester News } George T. Long }	7,803.96
4	White Plains Daily Record-----	7,762.41
5	Portchester Record Company-----	5,288.01
6	White Plains Daily Reporter } Westchester County Reporter }	5,064.18
7	Citizen Bulletin-----	4,039.33
8	Yonkers Herald-----	3,583.83
9	Mount Vernon Daily Argus-----	3,285.67
10	Portchester Item-----	
	Daily Item Press-----	2,645.75
	Portchester Enterprise-----	
11	New Rochelle Pioneer-----	2,370.83
12	Peekskill Daily Union } Peekskill Messenger Critic }	2,348.08

Newspaper	Amount
13 White Plains Daily Argus.....	\$2,133.06
14 Democratic Register.....	2,107.50
15 Highland Democrat.....	2,082.58
16 Pelham Register) Harrison Herald).....	1,901.50
17 Ossining Citizen.....	1,854.88
18 Tarrytown Argus Tarrytown News	1,780.50
19 New Rochelle Evening Standard.....	1,680.25
20 Compass Publishing Company.....	1,502.80
21 Peekskill Evening News.....	1,333.88
22 Rye Courier.....	1,315.50
23 Eastern State Journal.....	1,200.50
24 Pelham Sun.....	1,182.00
All Others.....	8,895.27
Total.....	\$117,374.64

"One paper in the foregoing list, the 'Northwestern Times,' was so indiscreet and independent as to submit to the Board of Supervisors for audit, in 1910, a bill for the publication of county accounts at a proper rate. The bill amounted to \$600. The other papers that published this matter remonstrated and tried to get the editor of the 'Times' to raise his figure. They were charging \$1,050 each for the same matter. But the editor of the 'Times' said, 'No, \$600 is the legal price and, moreover, it is good pay.' The Board of Supervisors audited his claim and were, of course, obliged to cut the other papers down to the same figure. So this paper saved the county \$2,250 by that one act. Since then it has received no more county designations.

"If it were not for the fact that the great New York dailies circulate widely in Westchester County, more widely, perhaps, than the locals themselves, and that we can often secure their aid in propaganda, the conditions outlined would be much more serious than they are.

"We need a central power to enforce the regularities and uniformities which I have shown might be engendered at the indicated county conferences of local officials. Without the power to enforce them it is not of much use to prescribe them. In the first place, a fine on such officers for not attending such conferences should be imposed; a fine of sufficient dimension to make it an object for them to attend. The penalty for not carrying out regulations there developed and prescribed should be removal from office.

Modern Accounting Systems

"We need modern accounting systems in the various counties of the state, and not only in the counties but in the townships, villages and school districts; accounts that will show the exact condition of the public estate of those communities at any moment; that will show how much the community owns in all its various forms of property, how much it owes both in obligations currently falling due and in those to be paid off in the future, possibly by future generations; and of such indebtedness the accounts should show what part is a refunding of debt incurred for improvements long ago worn out, and what part is for those which the present tax-payers may enjoy. Although the State Comptroller's office is doing excellent work in this respect, the matter is still in what might be called a state of incipient germination.

"Another need is economy in the purchase of supplies, public printing and miscellaneous contracts and services. Westchester County may be held up as a brilliantly illumined example of extravagance in these matters. I could give you a long list of purchases of supplies for Westchester County at extravagant prices that would probably entertain you greatly, but I doubt whether it would avail much to do so. One or two instances may serve, however, to illustrate what you may find in your own community if you look closely enough. We found the Board of Supervisors annually auditing bills for \$8 fountain pens for each member of the board; we found the clerk of the board doing up packages of various sorts of office supplies—pads, bottles of ink, beautiful inkstands, fancy pencils, blotters and what not?—one package for each member of the board to take home with him every year. I have not examined this matter closely enough to ascertain whether this is an annual or a semi-annual custom. It may be possible that the various members of the board paid for these packages, but if they did we have found no record of any such receipts in the accounts of the county treasurer.

A Few Extravagances

"We have found in years past bills audited and paid for sets of solid silver table knives and forks. I forget now whether they were for the jail warden or the superintendent of the poor.

"We have found indexes for mortgages and deeds purchased at \$81 a volume that any one could purchase in the open market for \$21 or \$22 a volume; and the county even now is auditing

and paying bills for McMillan loose-leaf record books at \$24 per volume that a competing firm offers to supply in small or large quantities of the same grade and quality of material and workmanship for \$18 per volume.

"We paid several thousand dollars for about a \$500 job of painting in the Surrogate's courtrooms, and a proportionately greater amount for painting in the county library.

"We pay the county clerk \$10,000 a year, the sheriff \$10,000 a year, the county treasurer \$10,000 a year and the county judge \$10,000 a year, the surrogate \$10,000 a year and the comptroller will probably be paid \$10,000 a year. The district attorney is paid \$8,500 a year. You will observe that the county clerk receives more than the district attorney. He receives the same compensation as the judge of the court of which he is the clerk. He receives a considerably larger salary than his superior officer, the Secretary of State. As far as salary goes he is on a par with the Governor. The county treasurer, who is merely a custodian of funds, also receives the same salary as the Governor, who is his superior officer. Going down the list of subordinates in similar ratio we ought to pay the deputy county clerk or deputy treasurer \$12,000 or \$15,000 a year, and the assistant clerks in the office \$20,000 each a year. Dividing each amount by ten, perhaps, would be a proper proportion, if services were to be valued according to their merits.

Uniform Highway Administration

"One of the greatest needs in the county is a uniform administration of the highways. We need a great extension of our roads, and we need them at a smaller cost. We need to plan the county's roads as an entire system, not as a number of separate and distinct segments, parcelled out here and there as political bargains. There are a good many ways in which roads could be built for a small portion of what they now cost the county and the various communities of the county. The character of the pavements should be studied, and the character of the contracts let for the building of roads should be gone into thoroughly. The question of whether the county ought not to build its own roads with its own employees, rather than let them to private contractors, needs to be studied. Investigation of this nature would probably ramify into the question of unemployed labor within the county's borders. Indeed, various important

questions of an industrial nature ought to be studied in mapping out a competent scheme of county government.

"One of the greatest needs of the community is the reduction of the cost of administration of justice and the expedition of the trial of causes and the delivery of judgment. The drafting of jurors, the granting of exemptions, the question of repetition of services and fees and all the multitudinous expenses of court services which seem to the layman exorbitant and useless need to be studied and methods devised of freeing the poor man from as much of this burden as possible.

A Scientific Budget

"A paramount necessity, which surrounds and comprehends all the rest is scientific construction and adoption of a proper budget to provide for the service of these needs in economical and yet satisfactory manner. The County of Westchester has adopted recently the budget plan and system of county accounts outlined by the State Comptroller, but it has not gone any further than that. Although it has made great improvements, there are many steps in advance yet for the County of Westchester to take in this regard. Before the budget is adopted the Board of Supervisors owes it to the people of Westchester County to hold budget hearings and to permit the people to express their views as to the propriety of various budgetary provisions; and the Board of Supervisors owes to the people of Westchester County to be guided thereby.

"We have just created in Westchester County the office of county comptroller and have elected to that office a candidate whose qualifications, so far as we know them, make us anticipate excellent service in that office. It remains to be seen whether our anticipations are to be realized. The duties of this officer are probably known to all the people attending this convention. He is the county's chief fiscal officer, and he has power to examine all the accounts of all the various county departments and officials and to prescribe the system upon which they shall be kept. He has to examine payrolls and determine what amounts shall be recommended to the Board of Supervisors, to be allowed by them as compensation to salaried officials. He has similar powers over county claims. It is his duty to dispose of the county's marketable securities. He is not an auditor in the sense that his determination of the amounts to be allowed is final; that power rests with the Board of Supervisors. He is an auditor

in the sense that he can make an audit of the accounts of any county department, and in that sense only.

"The county comptroller would be a vastly more useful officer if he had the power to audit the accounts of towns, villages and other municipalities within his county, and if his office were given the power of final audit over all county disbursements we should then not have to wait ten years or twenty or maybe a hundred for the State Comptroller's fifteen men to get around our individual municipalities to examine and clear up their accounts.

The Need for State Control.

"It should rest with the state to see that the counties were all uniform in methods, records, accounts, reports, procedure, etc., and it would rest with the county authorities to see that the towns within the county had such uniformity and carried it out. With the power to enforce uniformity must go also the power of examination, the right of access at all times to records and data of any nature that pertain to the administration of the local public officers.

"You may ask here, why cannot the State Comptroller's men satisfy this need of auditing the finances of our municipalities?

"One reason is because, however expert and however diligent, they are not superhuman and there are only fifteen of them. There are over one thousand municipalities in the state whose finances they now have the power to audit. It would take fifteen men working at high pressure from six to ten years to cover these 1,000 municipalities once. Of course, the little towns are the ones that have to wait ten years, some of them perhaps more. So you see that even though the Comptroller has provided himself with a body of competent and able experts, the limited number which the law permits him to employ cannot by any means satisfy the public needs in this respect.

"You may say, then let us increase the Comptroller's force so that every municipality may have at least an annual audit. That would be very desirable, but it would cost upwards of a half million dollars a year to supply such a force. Nevertheless, in spite of that enormous cost, real annual examinations would doubtless be well worth the money. But why should the state pay for it?

"A plan to induce the Legislature to create 150 or more new positions of municipal examiners and to appropriate from \$3,000 to \$5,000 of state money to secure a competent man in each

position might not be impossible of realization. But why shouldn't your town or your village attend to watching its own finances and its own bills? Why should the state be asked to do more than to prescribe uniformity and system, and see that such are maintained and enforced through the medium of centralized county authorities, such as I have indicated, clothed with the proper powers?

"One service with which every community must eventually be provided is some means of exercising a simple ballot, an honest ballot and a full ballot on election days. As it is now, the total vote of the county is ordinarily about one-sixth the population, and in local village elections, it is frequently as low as one-thirtieth or one-fortieth of the population. The great need in this respect is to find a way in which the franchise may be put into the hands of those who know how to exercise it properly without distinction of sex, race or social classification, and that means shall be improved for voting secretly and according to the dictates of the voter's own reason and conscience.

"When we finally make up our mind, after studying all these needs and more, what sort of a plan we approve for governing the subdivisions of the state (including county, town, village, smaller cities, school districts, etc.) we shall probably find that constitutional barriers as they now stand will greatly interfere with the erection of very satisfactory models for such government.

The Short Ballot for Counties

"In the bill that was proposed last year by the New York Short Ballot Organization the attempt was made to adapt the revised scheme of county government to the provisions of the present Constitution of New York State: It was necessary to retain all the constitutional officers and to provide for their election as the constitution required. These constitutional officers were the judicial officers of the county, the board of supervisors, a sheriff, a county clerk, a district attorney, and where the voters so elect, a register. There is grave doubt as to the wisdom of electing all these officials. I fail to perceive, for example, the necessity of electing a sheriff by popular ballot. I think the office of sheriff is going out in time. The coroner is surely going to be abolished very soon, and the sheriff will shortly afterwards follow him. New York City will probably be the first to get rid of its sheriffs. It will retain its police. I doubt very much if New York City would think it in any measure the part of wisdom to elect its

police commissioners by popular ballot, or its fire chief, or its commissioner of correction, or any of the heads of the big departments now appointed by the mayor. There is no argument for any real logical tenability, that I have seen, as to why the sheriff should not be appointed to his office either by the county commission (in a commission government county) or by the chief executive officer of such a county (a county manager) in much the same manner as the police commissioner is appointed in a large city by the mayor.

"It is quite possible that a wisely organized system of either state police or county police would obviate the necessity of having a sheriff. Except for court duties, there appears to be nothing that the sheriff does which could not be attended to with much greater efficiency than he now shows in such duties by a state police or state constabulary, whichever term may be more acceptable. The chief objection that I have heard to the state constabulary is the objection of labor unions, who seem to feel that such a force is a powerful agent of the devil placed in the hands of the capitalists for the suppression of the laboring man. In other words, because the state constabulary of Pennsylvania very ably and very efficiently quelled labor riots in that state, the labor unions will have none of them. The fact that the state police there were impartial and protected the rights of the laborers themselves as well as the capitalists, seems to have very little effect upon the minds of the unions. Of course it would be necessary in studying this question to examine into the validity of these objections to sustain any just claims of the labor unions and to reveal clearly wherein their objections are without foundation.

"The relation of the sheriff's functions to electoral control, and the weighing of such functions in the balance with those of a state police or a state police with county control is a very important matter to be considered in the reform of county government.

"I see no objection, either, to the appointment, instead of the election by popular ballot, of the county clerk, the county register, the county treasurer, the county comptroller or county auditor, where an auditor is chosen instead of a comptroller. Under a small board of directors with a county manager these and other officers could all be appointed by the manager, who should be empowered to exercise great freedom in searching any part of the country to obtain the most desirable men, who should

select the best that he can obtain, who should promptly get rid of the incompetent and inefficient, and who should himself depend for his tenure of office upon the ability with which he conducts the management of the county.

Subdivisions of the County

"There is undoubtedly a great deal to be studied as yet regarding the relation of county government to township, school district, village and city government. We have been studying county government detached, county government as a separate entity. Of course, in any process of analysis it is necessary and wise and scientific to detach from the various compounds in which it is found the element under examination. Following that scientific principle, many of the members of this Conference have been trying to detach the county as such from the town, the state, the educational departments, etc.—to precipitate it out of the mixture, as it were, by applying various reagent principles. It seems to me, however, that when the county is thus separated, we have left out of the problem many important elements; we have put out of sight many of the most important relations which the county sustains. If we then build up a county government without these before us, while we can construct one that is simple, scientific and direct—a perfect model—it will, when applied, lack many of the essentials to adapt it to the other local governments with whose functions the county is closely intermingled.

"In any sweeping reform, therefore, we must consider all the elements concerned. We must study the township and its relation to the county in the matter of the levy and collection of taxes, in the matter of equalization of assessed valuations, in the matter of an auditing control of township finances, township expenditures, township indebtedness, etc.; in the matter of the registration of instruments for the transfer of property and of the custody and preservation of such records; in the matter of demarcation of jurisdiction as between town and county officials, whether such officials are primarily executive, legislative or judicial.

"Studies of the same character and scope must be made in relation to village government and in relation to the various smaller municipal districts, such as schools, water districts, fire districts, sewer districts and a multitude of such smaller corporations.

"I doubt very much if county governmental reform can be carried through without reforming the governments below it. I would make as my chief recommendation to this Conference that it be urged in the constitutional convention to leave the legislature free to reorganize upon whatever plan may seem wisest the entire scheme of local municipal government."

DISCUSSION

Mr. R. S. Childs: "I wish that Mr. Cartwright would tell us a little bit about the Westchester County Research Bureau, so that we may know with what authority he speaks."

Mr. Cartwright: "I shall be very glad to speak about our bureau; my only fear is that I shall speak too long. Our organization is supported by private contributors who wished to have an examination made into the actual conditions under which the government was carried on and investigate various things on the ground of efficiency, economy and examination of costs. We did not have authority to make audits, but we had authority to go to all the records and examine them in detail. We began by studying the county audit—bills which were set out for final examination. We found a great many bills that were extravagant. The auditing power lying with a board of thirty-eight members to whom the bills are presented, makes it difficult for the board of supervisors to examine each in detail. They have a big advantage of the committee. The responsibility belongs to the committee, but the committee cannot afford to give its time to examine materials, supplies, etc., so that it cannot do more than say what somebody else has done. They can see that bills are properly itemized, properly made out and properly sworn to, but to audit them would require an officer who could devote his whole time to the work. Now we have examined not only the accounts of the county, but all those audited—bills, claims and records in various departments of the county.

"Ours is the only bureau of its kind, the only bureau organized. One or two attempts have been made to form others, but they were not properly directed."

[The next address, by Mr. V. Everit Macy, Superintendent of the Poor, Westchester County, was read by Mr. H. A. Brown.]

Mr. Brown prefaced his reading of the paper with the following remarks:

MR. H. A. BROWN

"Gentlemen—In connection with the work of poor relief in Westchester County, we have the uncommon situation of a millionaire philanthropist running last fall for the position of Superintendent of Poor of the county. When he ran for the office he told the people that if he were elected he would select some one to do the work, himself act in an advisory capacity, and all expenditures to be taken out of politics. It is interesting that the man he selected, who happens to be your humble servant, was not a resident of the county and knows absolutely nothing of the political situation except as he has learned it since. Mr. Macy is a hard working man. He resigned trusteeships and from various committees in New York City that he might devote four days a week of his time to this work. Mr. Macy takes care of his business two days a week, the other four days he devotes—and there is no eight-hour limit—to the problem of bettering conditions in this one department. He turns his salary over bodily to his assistant and then spends from \$5,000 to \$7,000 in trying to teach people to better themselves. I feel that I owe this to him as an expression of the man who wrote the paper."

ADDRESS

"Administration of County Charities"

V. EVERIT MACY, Superintendent of the Poor, Westchester County

The State Poor Law, under which the counties operate, was enacted some 130 years ago and has been amended and interpreted by the Courts most every year since it went into force, until it is now a mass of contradictory and unworkable statutes. The more or less uniform rural conditions that existed throughout the counties of the state at the time the law became effective have long since passed and have been succeeded in many counties by most complicated and diverse conditions. It is only by centralizing control and focusing responsibility that either honesty or efficiency can be obtained. Yet, in our county government we seem to have gone on the theory that the more responsibility was divided, and the more duties overlapped, the more honest and efficient an administration would be.

Multiplying the number of unimportant elective officers results in little good and much waste and confusion. This cannot be better exemplified than by the situation created by the Poor Law in my county. The theory upon which the law is based,

that each town in a county shall elect its own poor officials, is destructive to all efficient and intelligent administration under modern conditions in Westchester.

The County Superintendent of Poor has under his supervision and direction:

- A. The County Almshouse and Hospitals.
- B. County poor needing relief in the localities in which they live, known as "Outside Relief."
- C. The dependent and delinquent children who have been committed to institutions.

In addition to the Superintendent, the law provides for the election of two Overseers of the Poor and four Justices of the Peace in each town, the latter, as well as police magistrates and judges, are given the power to commit children to institutions.

In Westchester County there are nineteen towns, twenty-five villages and three cities, thus making over 130 elective officials empowered to deal with the poor. All of these officials except the Superintendent of Poor, are elected locally for varying and short terms and are responsible to no one.

Division of Responsibility

The law ingeniously divides responsibility so that the Superintendent has no power over the admissions to the almshouse or hospitals or of children to institutions but only the negative power of discharge, while the local committing officials have little control after the adult or child is committed. This often results in setting up an endless chain of commitments and discharges, for, as fast as the superintendent discharges an adult or a child the local official may recommit.

The Superintendent is on a salary but practically all the Overseers are paid on a per diem basis, and the Justices of the Peace are paid a fee for each commitment. If an Overseer issues an order for groceries or signs a commitment, he can collect his two dollars for a day's work.

Could ingenuity devise a more absurd and wasteful method of relieving suffering or one where responsibility and control could be more disastrously divided to the injury of the taxpayer and the poor? The Superintendent of Poor should not be an elective officer but should be appointed without regard to political affiliations. This is still truer of the local Overseers. Instead of being elected, they should be deputies of the Superintendent and appointed by him.

The Superintendent's Patronage

The patronage of the Superintendent is very considerable, as 26 per cent. of the county expenses of Westchester, exclusive of the state tax, passes through his office. The local Overseers are frequently subjected to great local pressure, both political and social, to give relief either in the form of supplies or by commitment. If they were not dependent upon the local vote, their actions in each case would be based solely on the merits of the appeal and could be treated in the wisest way without regard to local influences.

The Superintendent has no power to retain an inmate if he desires to leave or to punish one for endangering the lives of others. His only course is to discharge the offender and turn him out to prey on the community. As a consequence the winter population increases between forty and fifty per cent. over the number in the almshouse during the summer. Many men work for eight months in the year for just enough to buy whiskey and shelter, knowing that they will be cared for at public expense during the winter months. In the same way a drunkard or a drug fiend is sent to the almshouse to be straightened up. He receives new clothing and medical care and then goes out when he chooses, only to return again in the same pitiable condition some months later. I have one case where the individual has been committed thirty-nine times. There should be some way by which these men could be made to work on the county farm for a few weeks in return for their winter's board; and, where those addicted to alcohol and drugs could be restrained and protected against themselves and their labor contribute something toward the cost of their support.

Who Inhabit the Almshouse?

Those not familiar with the situation naturally think that the Almshouse is inhabited by the old and infirm who, through misfortune, are unable to support themselves in their declining years. This is true to only a limited extent, as shown by the age given by each inmate admitted to Westchester County Almshouse in the past ten years; 36 per cent. of the males were under 41 years of age and 37 per cent. of the females were under 31 years of age, while over 60 per cent. of both men and women were less than 51 years old. Thus considerable more than a majority of those admitted were still in what should be the prime of life.

Many of these young women were committed to the Almshouse for confinement, not infrequently returning the next year for the same cause. These girls are not of the prostitute type but are more or less feeble minded and should be protected by the State. When application is made to the State institutions they cannot be admitted, as these institutions are already overcrowded. The County Superintendent has no power to hold them against their wish, so they are discharged into the community to rapidly propagate their kind. From the above it will be seen that nearly 6 per cent. of the female inmates are still of the child-bearing age. Is it any wonder, therefore, that our dependent classes are on the increase?

I realize that this is not a meeting to discuss eugenics, but do not the above figures show that the problem of our poor is not entirely an administrative one and that it is not sufficient merely to relieve the immediate needs of the destitute?

Commitment of Children

The greatest injustice to the individual and injury to the State is now done through the haphazard handling of the cases of the delinquent and destitute children. As I have said, the Overseers, Justices of the Peace, Police Magistrates and Judges can all commit children, and most of these officials have a monetary interest in committing. Few of them have any means of investigating cases before acting and fewer still have any training to fit them to deal wisely with either the destitute or delinquent child. The committing of a child is no light responsibility, as we find in Westchester County that the average duration of institutional care for children committed is two years and the expense to the community \$300.

What is the effect on the children of these two years without a home? Are the parents better citizens by being relieved of their parental duties to support their children? It is safe to say that in Westchester County 20 per cent. of the children committed should not be maintained in institutions at public expense but should be supported, wholly or in part, by their relatives.

The law should provide that one person in each county should either personally, or through deputies, be responsible for all cases of children requiring public care. This would materially reduce the number of children maintained at public expense, encourage paternal responsibility and, above all, place the care of the child in the hands of an experienced person.

Some individuals may object to placing the care of the destitute and delinquent children in the hands of the same person. If this is the case then a Children's Court for the county should be established to provide for the delinquent, and the destitute cases should all be cared for through the Superintendent of Poor. This would place all children's cases in the hands of two people instead of the large and indefinite number of elected officials that now exercise this power.

On the first of last January, although the maintenance of over 700 children was being provided through the County Superintendent, the only record of any child was contained in the bills from the institutions which were rendered for varying periods, except in the case of a few children placed in private homes. The Superintendent had no knowledge of when the children were committed or when discharged.

The conditions in Westchester County are so different, owing to its large but scattered population settled in three cities and twenty-five villages, that what would there be a wise administrative method might not apply to other counties.

Centralization Needed

There is no doubt that for Westchester, with its population of 320,000, the entire administration of the poor relief should be centered in the hands of a Commissioner of Charities and Correction, with deputies located in different parts of the county. As long as 130 officials continue to share in the responsibility for the Poor Relief, it is useless to expect anything but a maximum of confusion, and a minimum of efficiency.

Nothing but a complete reconstruction of the Poor Law will enable the counties to intelligently provide for their unfortunate citizens.

In closing, I wish to say a few words outside my subject, but on a matter that may be worth your attention. In view of the approaching State Constitutional Convention there is an opportunity for constructive legislative work. As I have tried to show from experience with the State Poor Laws part of the inefficiency of county administration results from the effort to provide a uniform government for all counties, notwithstanding the widely varying local conditions. It would be impossible to amend the Constitution to suit the particular requirements of each county and, on the other hand, the frequent special legislation now resorted to results in still further complicating the situation.

Would it not be possible to change the State Constitution so that the counties could be classified in some such way as the cities are now classified, as first, second and third class, and then provide several choices in the form of government for each class?

Such a method would enable each county to meet its own requirements and take care of the problems arising from rapid growth without obtaining special legislation and without hampering other counties.

Any changes in the State Constitution should be as broad as possible, leaving the details to be determined later by the Legislature and county authorities.

DISCUSSION

Mr. Childs: "Do I understand that if I were in Westchester County and wished to be supported that I would have one hundred and thirty chances of getting it?"

Mr. Brown: "Yes. Overseers of the Poor and Commissioners of Charities are supposed to be committing officers of dependents. The other committing officers are for children delinquent. However, we find them committing for dependency. In actual practice you would not have one hundred and thirty chances, but you would have a good many chances. If you had friends you would have no trouble in getting committed."

Mr. Close (Supervisor from Westchester): "As I understand the working of the Poor Law, before you receive any assistance you have to prove that you have resided in the town for a certain length of time. Certainly before you were committed you would have to prove residence; if you could not prove it you would be returned to the town you last came from."

Mr. Brown: "As a matter of fact, a person who has not applied for nor received relief in the town in which he is resident may apply for and receive relief in another town in the county. To illustrate, I had the case of a man resident in another county in the state who came into Westchester County to work. He became crippled in Westchester County, ran out of funds and has applied for relief in Westchester County. He was committed to the almshouse by the local officials. Such cases if they have been in the county for less than ten days are county charges. We tried to have him removed, but was informed that that could not be done; we would have to prove that he was poor before he came into the county and was brought there as a poor person. Now, 'poor,' in that sense, means that he had ap-

plied for and received public relief in some other county. It is true that you can be in a county only an hour and receive public relief, but then you are paid for as a county charge. What the gentleman has mentioned is town relief, and we have to distinguish between the town and county poor. If you stay in any town in the county for, I believe, a year you have residence in that town and that town supports you in the almshouse. Your maintenance there is not charged to the county. But if you have no residence in a town you are paid for out of the county funds."

Mr. Winterstein: "I believe that the poor law, if anything, should have the attention of the Constitutional Convention. I had a very amusing incident in connection with the poor law. I questioned a bill for supplies for a poor person living in Amsterdam. I took it up with the Commissioner of Charities and was informed that this person had not lived in Amsterdam quite a year, but just prior to his going there had been furnished supplies by the city of Schenectady. It came to me then that we can continually furnish a person who has been a resident of an outside city for five years or more, or, in other words, indefinitely if we supply him one year before he goes to another town."

Adjournment.

SECOND SESSION

Saturday Morning, November 4, 1914

Professor Hoffman, as chairman, announced that the matter of temporary organization, postponed until this date, was in order and called for nomination for temporary chairman.

Mr. Geo. S. Buck, of Erie County, nominated for chairman and elected unanimously.

Mr. Buck then took the chair and called for nominations for temporary secretary.

Mr. Gilbertson was nominated for temporary secretary and elected unanimously.

Mr. Buck: "I want to assure you that it is a great pleasure to preside at this session of the conference and that so many should have come from various parts of the state to take part in this important movement. Its beginning is certainly most auspicious, and those who have started the movement have every reason to feel encouraged and gratified."

"The chair is now ready for business."

Mr. Childs: "I move that a committee of three on resolution be appointed."

Seconded.

Chairman: "The motion is made and seconded that the chair appoint a committee of three on resolutions.

"Question."

Motion carried unanimously.

Chairman: "I appoint Mr. Baldwin, Mr. Gilbertson and Mr. Brown."

Mr. Childs: "I have come with a resolution prepared by myself, and while I don't expect it to be adopted at this moment I hope that when the Resolution Committee bring it in this afternoon there will be a chance for discussion at that time. I will read the resolution now so that everybody can be familiar with it and think it over. (Reading the tentative resolution.)* It seems to me that the passage of some such resolution, negative in its nature, is about as much as we could expect to accomplish in a twenty-four hour discussion."

Moved to refer Mr. Child's tentative resolution to the Committee on Resolutions.

Carried unanimously.

Mr. Binkerd: "I move that a resolution of appreciation and thanks be extended to the authorities of Union College for their courtesy in inviting this conference to meet here."

Carried unanimously.

Mr. Childs: "The question of whether we should organize this conference on a permanent basis to have it survive beyond this afternoon, whether we ought to meet once a year and have a permanent organization at work in between, or whether we will let it go at this. It has been difficult in getting this organization together to get hold of the people interested in county government. It is a long fight to organize anything that will be really strong, and yet there is no doubt about the need of having some organization in the United States taking an interest in county government. Is the conference clear in its mind as to whether it wants to keep the thing going? I ask the question to get an expression of opinion, and I suggest the meeting be thrown open for discussion."

Chairman: "The meeting is open for discussion of the question of forming a permanent organization."

* For text of resolution, see page 85.

Permanent Organization Suggested

Mr. Baldwin: "There is no question, but there is great need to reorganize county government, and it is important, if that is to be accomplished with a minimum of effort, to have some central organization to act as an expression of public opinion. I think it would be well if this meeting were disposed to effect a permanent organization. We should have representatives to its annual conferences from every county in the State of New York, and the central body then could also get in touch with what is being done on similar lines in other states, which would be most desirable if a permanent organization were formed to further the interests of county government.

"It seems to me that at this time in particular some effort should be made to form an organization to be used as an instrument for bringing certain things definitely before the Constitutional Convention. The question of continuing it in an annual conference could probably be left over. But it seems to me just at the present time our particular interest is in seeing that changes are made in the Constitution which will lead to efficient county government. I believe any steps we take toward making that organization permanent should provide some central body that can bring together the thought and influence of those who are interested in better county government and have that influence exerted on the Constitutional Convention when it meets."

Mr. Maddaus: "This is quite a problem. We have been going at it in the past as unrelated units, and consequently that has been one of the causes of our difficulties. A permanent organization would at least bring us together."

Chairman: "From the opinions expressed last night it is evident that the first step will have to be changes in the state constitution. Legislation will have to be preceded. So that if any results are to be accomplished it will be necessary to continue efforts over several years."

Mr. Binker: "I move that the Committee on Resolutions be directed to report a plan of permanent organization."

Seconded. Carried unanimously.

Mr. Cocks: "I would like to make one suggestion, that some committee be prepared to report as to the relation of the town government and the county government with regard to constitutional change; that is, we need to know more about it. I would like to add that the Committee on Resolutions be asked to

report as to the relation of town government to county government."

ADDRESS

"Taxation and County Government in New York State"

HENRY J. COOKINHAM, JR., County Attorney, Oneida County

For the purpose of government, which means for purpose of raising and expending money for the advantage of the people, we have in this state and within its counties many units or districts. Many of these districts are included within others and many overlap each other. Each has certain officers and certain powers of local government and support. Consider a typical New York county, my own, containing two cities, 26 towns, 19 incorporated villages, 23 special districts and 335 school districts outside of the cities. There are more than 400 bodies, composed of more than 1,200 persons, with power to fix values, to assess for purposes of taxation, and more than 400 collectors of taxes. The county and each one of the other 425 districts mentioned has power to raise money by taxation for its own purposes. Under certain limitations each can raise what it desires and can say by whom and for what the money raised shall be expended.

The tax problem, however, relates rather to the questions, from whom? in what manner? this money shall come than to questions of expenditures.

It is conceded that moneys raised for the benefit of a district should be raised in that district and that there should be a uniform equitable apportionment of obligation among those benefited. It is the policy of our state to measure this obligation by property owned by the individual and, by recent law, to charge this obligation upon the property rather than upon the individual. This necessitates a determination of values or an assessment as the basis of taxation. It is obvious that no one's proportionate share properly can be determined unless a fair and just valuation is placed upon the property which measures the share. Few taxpayers feel aggrieved if they know they are paying no more than their just proportion of the cost of government.

Duplication of Assessments

In our scheme of assessment lies the basic reason for dissatisfaction.

To fully realize this it is necessary to know just how our assessments are made.

In each school district the trustees have power to assess for school purposes. In most of our special districts the special tax is levied upon the valuations fixed by town assessors. Our cities make their own assessments. Our villages have power to make theirs, and usually do so, though in some instances they take the values as determined by the town assessors. The valuations in each town are determined by the town assessors. The valuations for the purposes of state and county taxes are determined by a so-called Board of Equalization, consisting of the Board of Supervisors or persons appointed by it. This so-called equalization consists simply of adding or subtracting certain percentages to or from the total valuation placed upon the property of a town by town assessors. It is, in fact, assessment by towns and amounts to a re-assessment of every piece of property in the town. (This equalization is too often *in personam* and not *in rem*.)

A man, therefore, may have property in a school district, in special districts, in a village, in a town. This property may be valued by different bodies with power to assess at two, three or four different values in the same year, and then through county equalization a fifth value be placed thereon.

Inequalities

This method of assessment is radically wrong and results in injustice, unfairness and inequality. If the value of certain property is \$1,500 for the purpose of village taxes it is worth that amount for other taxes. It is ridiculous to have the same piece of property assessed by several different boards of assessors in the same year, often at different values, and different taxes charged upon these different values. Is there any particular object in this multitude of assessments? Does any thinking man believe that he gains anything by employing several different officers to value his property for several different tax purposes in the same year? Does the fact that it is so valued inure to his advantage in any way?

As far as village, city, school and special district assessments are concerned no one but the taxpayer within these units cares whether the assessment is high or low, and he only so long as it is equitable between individuals within the unit. The power in these units to assess, however, means duplication of officials charged with the same functions, duplication of effort and waste of time and money.

As between towns, however, each town is interested, and prop-

erly so, in the valuations placed upon property by the town assessors of other towns, because each town has apportioned to it such share of the state, judicial and armory district and county taxes as its value bears to that of the other towns within the county. This is the reason for the under-valuation of most towns. The dread of an increase by county equalization tends to cause town assessors to place values so low that even if increased by equalization the town still will escape some of its fair share and burden.

Equalization a Joke!

Equalization as generally practiced is an abomination, a joke, a cover for deals, for trades, a means of purchase and sale, in its result most unfair and unjust, based on the assumption of accomplished perjury, and in itself the chief cause of the perjury. This condition will exist as long as we continue to allow the valuations to be made by assessors representing less than the whole unit which bears the tax.

If we must have county assessors, which boards of equalization are, let us have the real thing, a read board, elected by the people of the county for long terms and well paid, composed of men presumably expert and skillful, familiar with property and with values, of good judgment and honest purpose, whose sole business shall be on some proper basis to value the property of the unit they represent.

Assessment by this county board could not seriously affect the valuations for town tax purposes, even assuming that whole towns were increased or lowered. It is said that such a board could not examine all the parcels in the county and could not know their values; that a local man only can do this. It is true, perhaps, that a local man does know the property and its value better, but if he keeps the facts concealed, as many of our town assessors do, there would seem to be nothing in the argument that the county assessors might not be able to arrive at and state actual exact values. I would rather that a poorly informed man honestly should endeavor to arrive at an accurate determination than that a knowing one should endeavor not so to arrive; the latter certainly will not arrive, but the former may.

Town assessors, as is well known, usually divide the town into portions, each taking to assess the portion in which he lives. Human nature is such that few men desire to contribute more to the public than their just proportion. There is no doubt but that an assessor will not overvalue his own property; in fact,

sometimes, perhaps, he undervalues it a little. If he should chance to do this, then certainly he cannot have his neighbors say that he is getting any the best of it, so down come his neighbors' assessments to correspond.

We have, then, possibility of one inequality between individuals in the portion of the town assessed by each assessor arising from poor judgment, local favor or otherwise; possibility of inequality by reason of each of the town assessors using a different basis of valuation for his district; probability of inequality between towns by reason of the apportionment of large amounts of taxes by towns and the hazard of equalization, and probability of further inequality by reason of improper and unfair equalization.

How to Eliminate Inequalities of Assessment

The chance of inequality between individuals cannot be avoided, but can be lessened by removing the assessment from local influences, fear, favor, affection, prejudice or hope of reward. The chance of inequality between portions of the same town can be avoided by removing local divisions and influences. The certainty of inequality between towns can be removed by not assessing by towns. The chance of inequality by reason of the influences affecting the usual equalization between towns can be removed in the same manner by not assessing by towns, of course, which dispenses with the necessity for equalization.

Assessment therefor by a county board removes most of the chances of inequality and leaves practically only one, errors in judgment on the part of the person examining the property, and perhaps in some isolated cases a second, personal favor to some individual.

Inequality of assessment is the most difficult tax problem to solve. Exorbitant and extravagant expenditures or misappropriation of public funds affect all taxpayers alike. All rise in protest and solve the problem quickly and with certainty. Inequality of assessment falls on the few, on the individual, and does not therefore raise a general protest. It amounts to a hidden unequal enforcement of the law and its victims can do little.

Assessment by County Board Proposed

Aside from the question of deliberate undervaluation by town assessors, which they themselves admit, there are other reasons for the establishment of a county board. The ministerial duties

could be better accomplished. The rolls would be more accurately prepared and would show the necessary valuations for the spreading of the tax. Average men and many men well above the average, as are many of our town assessors, are very prone to mistakes of figures. One must not only have the natural aptitude for figures, but must be continually working with them to be accurate. This is not the condition with town assessors. Hardly a roll can be shown in which there are not mistakes in the transcribing or transportation or addition of figures.

No man can do well without the proper tools with which to work, and in few towns is that most essential and necessary assessors' tool, a tax map, furnished. It is little wonder that so many descriptions of parcels are faulty and so many parcels omitted entirely or doubly assessed and taxed. The wonder is that town assessors do as well as they seem to do with no definite fixed or even approximate metes and bounds or measurements to guide them. Now that the law provides that the assessment and levy is against the property and not the person, it is absolutely necessary that parcels be described accurately.

The establishment of a county board of assessors would mean, of necessity, the employment of skillful clerical assistants, the preparation of tax maps and the adoption of systematic methods.

Most discussions upon the subject of assessment to which I have listened have dealt entirely with suggestions for supervision of local assessment and with schemes for re-assessment and review.

These discussions are all based upon the assumptions that few local assessors have any basis or unit of value by which to measure; that their valuations are largely guess work, influenced by obligation to useful friends and neighborly feeling; that they universally undervalue property.

It is conceded by all, even the assessors themselves, that the assessment does not state the actual value. No doubt if one has typhoid it is wise to endeavor to effect a cure, but it is wiser to inoculate against the typhoid in the first place. So with assessments, it is wiser to strike at the root of the trouble, the original assessment, rather than on the correct assumption that the original assessment is erroneous and inequitable, to attempt to cure it by supervision, or so-called equalization. There is but one way to effect a cure and that is to permit but one assessment, and that by a body representing the largest unit—the county. By the establishment of a county board of assessors

clothed with sole power to fix values for all tax purposes and by apportioning the cost of government, all kinds of taxes, upon a single valuation, is the individual relinquishing any of his rights, liberties or privileges? He assuredly is not. He is receiving the benefit of expert judgment and opinion, and the measure of his liability is definitely fixed with greater equity to him and to his neighbor and at a less cost.

Confusion in Classification of Property for Taxation Purposes

To add to our confusion we have laws which charge a tax levied for one purpose on one class of property and for another purpose on another class. State, judicial, district and armory district taxes, general county and town taxes, are charged upon all property, less all exemptions. Taxes raised for highways, except money raised for the maintenance of town roads and of bridges with a span of less than five feet, and taxes for schools are charged upon all property, less all exemptions, except pension exemptions. Taxes raised for the town roads excepted above are charged upon all property outside incorporated villages or cities, less all exemptions, except pension exemptions. Compensation to the town health officer is charged upon all property outside incorporated villages and cities, less all exemptions. There seems to be no particular reason for charging pension property with highway and school taxes only. Why not make its exemption a percentage of the entire tax?

To add further to our confusion certain of these taxes must be raised upon the value of the parcels as assessed by the town assessors, and certain other of these taxes must be raised by apportioning the total sum to be raised for that particular tax among the towns according to their valuation after equalized. In the first class are moneys raised for general town charges, for town highways and the \$50 per mile for maintenance of state and county highways. In the second class are direct state taxes, judicial and armory district taxes, general county charges, county share of the construction of county highways. I call attention to these classifications of property and taxes (and I have not referred to city, village or special district taxes), simply to indicate more clearly the complexity of our tax system.

Under our system the sum to be raised for county purposes is determined by the Board of Supervisors, for town purposes by the town board, for city, village, school and special district purposes by the appropriated body of the unit.

Direct state, judicial and armory district, town and special district taxes are levied by the Board of Supervisors on certificate from state, town or special district officers. City, village and school taxes are levied by the appropriate body of those units. There may be some reason in city or village taxes being levied by city or village officers, but there is no reason why school district taxes should not be levied by the Board of Supervisors the same as special district taxes and at the same time, and collected by the same officers.

There is no time to discuss our district school system, though to any one at all familiar with conditions some of its faults are conspicuous, both from an educational and taxation viewpoint. There are more than 10,500 such school districts in the state, there being from 5 to 30 or 40 in each town. Some districts drawing public money maintain schools for two or three children. The annual expense per pupil varies from \$6.97 to \$67.44. The assessed valuation of some entire districts is as low as \$7,000. In some districts there are not enough persons to fill all the school district offices. There is seldom any progressive system of instruction followed. For years the state educational department has been recommending a change.

School Tax System Hopeless

From a taxation standpoint our district school system is hopeless. Its chief fault is obvious; the minuteness of the unit. And the remedy clearly is the consolidation of these small units into larger. The great multitude of little districts each with assessing and taxing power, each collecting its taxes and as many taxes in arrear as it desires to levy, calls for a multitude of officers, many of them totally incompetent, and makes it almost impossible for a non-resident taxpayer to keep any accurate account of school taxes or to pay them, no matter how much it may desire to do so. One corporation in the state is assessed in more than 4,500 school districts, and is continually at its wits end in an endeavor to find out how much it owes so that it may pay. Last fall it wrote me, sending me a list of more than forty school districts in my county, saying it could not find out what is owed in these districts and requesting my assistance in ascertaining the amounts so that it could pay.

Why not consolidate all the districts of a town, create a town board of education and raise school moneys as an item of town tax? This scheme has the endorsement of the State Educational

Department and the State Tax Department. This is followed in other states with entire satisfaction; why not in New York?

Our present system is based on the Act of 1795 and is about as appropriate to present day conditions as the Militia Act of 1792, which continued in force until ten years ago and provided that each able bodied man should be constantly provided with a "good rifle, shot pouch and powder horn, twenty balls and one-quarter of a pound of powder," and that "each officer shall be armed with a sword or hanger and spontoon."

The town assessment rolls having been completed by the town assessors and presented to the Board of Supervisors; and the equalization between towns having been made and the proper officials of towns and special districts having determined the sums to be raised and certified the same to the Board of Supervisors, the board then is supposed to verify the rolls and prepare tables of values, etc., to apportion certain taxes between towns, to compute necessary ratios for charging the different kinds of taxes upon the property liable therefor and to state on the rolls the amount of each kind of taxes each item of property should pay.

The Need for Trained Assessors

It is absolutely impossible for any one who has not made a careful study of the tax laws and who is not to some degree at least an accountant properly to do this work. I have yet to see a tax roll upon which the taxes are spread in compliance with the statute and upon which the different classes of property are charged with the taxes legally chargeable to them. I have yet to see a tax roll which states the several kinds of taxes separately, as the statute requires. I quote from a report by the State Comptroller's department:

"Examination of the accounts and fiscal affairs of the several municipalities in the state made by this department * * * shows that in not a single county have taxes been levied and collected in the exact manner prescribed by law."

What a commentary on the administration of the laws of this great state!

All the work of computation, etc., is purely of a ministerial nature, and to be accomplished accurately and quickly requires expert knowledge of the requirements of the law and also skill in mathematics. The Board of Supervisors as such has neither the legal knowledge required nor the skill, and its members

individually either cannot or will not actually do this work. The result is that the board or its members ordinarily employ some one not an officer and under no public obligation or responsibility. This results almost always in an illegal levy against individuals assessed, for the reason that, though the accountants employed to make the computations may do their work well, yet they seldom have any knowledge of the laws applicable and charges are erroneously made. It seems most unwise and improper to require that this purely ministerial work should be done by the Board of Supervisors. This is the work of expert accountants familiar with the tax laws and should be done by such. It is properly comptroller's work.

So far as I have been able to discover the county comptroller is a fifth wheel, not through any fault of the man in office, but through a legal misconception of the proper functions and duties of the office. True, the county comptroller acts as a check upon the Board of Supervisors in the audit of bills, but this only results in a divided responsibility. Either permit the Board of Supervisors or the comptroller to audit bills, but not both. Require the comptroller to be the expert accountant of the county, charged with all computations involved in all county fiscal matters, instead of simply an auditor.

The town rolls having been extended and adopted, the Board of Supervisors then attaches its warrant, directing the town collectors to proceed with the collection of the tax. Besides these town collectors it should be remembered that there are also city, village and school district collectors. These town collectors receive a compensation of 1 per cent. from each taxpayer in addition to the tax, if paid within thirty days. If paid to them after thirty days they receive 5 per cent. If the tax is not paid to the collector, on returning his statement to the county treasurer he receives 2 per cent. on the amount unpaid. School collectors receive about the same compensation.

Form of Compensation Promotes Inefficiency

This form of compensation seems devised rather to promote inefficiency and cause the taxpayer annoyance, than otherwise. Why should a collector make any effort to get in the tax when delay multiplies his gain? Why should a penalty on the taxpayer's misfortune or delay be a premium on the collector's luck or inefficiency? The amount of fees received by the tax collectors of this state is little realized. It is estimated that in

the up-state counties the school tax collectors alone receive upwards of \$600,000 per year. We have twenty-five or thirty school tax collectors in a single town. Why cannot a single collector in almost any town collect all kinds of taxes due in that town? Why should all these collectors be elected? Very often men are elected who not only cannot write a legible receipt, but sometimes who cannot even obtain a bondsman. I know a case in which a town elected a certain town collector, and the man so elected could find no one in the town, not even the man who nominated him, to go on his bond.

In few counties does the taxpayer receive any statement of the amount due or any receipt that gives him any idea of what it is all about. He does not know how much of the sum he pays is town tax or how much county or state tax. He receives nothing to give him an intelligent idea of the detail. All he receives is a meaningless receipt labelled "County Tax, 1914," for so much money. It is often undated and usually contains no description by which the property taxed can be identified. Though labelled "County Tax," as a fact the county tax usually is less than one-half of the amount he pays. It is a constant wonder that the taxpayer meekly will accept this receipt and, year after year, pay his "County Tax" without the slightest idea of what he is paying. Except in matters of taxation it is not our general custom to pay bills for "goods sold" without knowing the items thereof.

On the adoption of the tax rolls by the Board of Supervisors, the rolls should be turned over to the county treasurer, who should send to every taxpayer a detailed statement describing the property assessed, stating the amount of the assessment, the amount of each kind of tax charged upon it, and when and where it is payable.

County Treasurer as Receiver of Taxes

The county treasurer should be the receiver of all taxes payable within the county. He should appoint deputies to sit in various places through the county and receive the taxes. All moneys collected should pass through his office, and his receipt should clear a taxpayer of all taxes of all kinds for the year. The moneys collected should be paid over by the treasurer to the proper districts.

Sales for unpaid taxes should be had by the county treasurer and by him alone, not for any particular kind of tax, but for so

much gross taxes in arrears, without regard to the nature of the tax. This would avoid the uncertainty of title acquired through separate sales for different kinds of taxes and would tend to strengthen tax titles, now weaker than water, and save the tax districts harmless through free bidding.

Our present system allows three assessments of property during the year, three levies, three times of collection and payment to three different collectors.

This system has demonstrated the impossibility of efficient and economical administration.

Following these suggestions for betterment, we would have a single assessment made by representatives elected from the largest unit involved, the county, a determination of the necessary sum to be raised in each unit by the proper officers of that unit, as now, a certification of these sums to the Board of Supervisors as representing the largest unit, a single levy of all these sums by the board, all computations, etc., all ministerial work performed by a responsible official expert, a detailed statement rendered each taxpayer, a single receiver of all taxes, a single receipt therefor and a single sale for taxes in arrears.

These ideas are not new nor untried. Many states have for years worked practically along the lines suggested.

Our customs and ways are ancient, crude, inefficient and extravagant. Let them go to an honorable grave.

Let us follow the example, the successful systems established by our younger sisters in the West—one assessment, one levy, one collection.

ADDRESS

“The County Auditor”

GEO. S. BUCK, Auditor, Erie County

The work of auditing claims against the county is provided for in three ways by the general laws of the State of New York: First, by the Board of Supervisors; second, by auditors appointed by the boards, and third, by comptrollers elected from the country at large.*

It is noticeable in reading the statutory provisions that all powers of auditors or comptrollers are only a **partial** delegation of powers of the Board of Supervisors. In other municipal gov-

*In the County of Erie the auditor is elected at large and his powers and duties are derived from a series of special acts, part of which are of earlier origin than the general act providing for county auditors.

ernments it is usual for the auditor and comptroller to be supreme in their field, but in New York State counties the auditor is little more than a clerk and the comptroller has but a partial veto over the final power of audit which rests with the supervisors. The tendency of legislation has been to leave the real authority with them. I propose to present the auditor's side and show the facts that have come within my observation in the hope that you will feel that a county comptroller or an auditor is able to be of more use if given the same chance as in other municipal governments. But before going into this matter further, let us examine more in detail the statutory provisions.

The general county law (Chap. 21 of the Consolidated Laws, Art. 3, Sec. 12, Par. 2) gives the Boards of Supervisors the right to audit all accounts and charges against the county, and later (Sec. 24) provides that no account shall be paid unless itemized and accompanied by an affidavit that the items are correct, that the disbursements and services charged have been in fact made or rendered and that no part of the claim has been paid or satisfied. The boards of supervisors may make such additional regulations and requirements (Sec. 25) concerning the keeping and rendering of official accounts and reports of its county officers and the presentation and auditing of bills as they may deem necessary for the efficiency of the service and the protection of the interests of the public.

Chapter 152 of the Laws of 1910 authorizes the Board of Supervisors throughout the State to appoint a county auditor, to fix his term of office and salary and also to direct him to act as the county purchasing agent. The act then provides that the auditor shall pass upon all bills of expenses of the various county offices and departments, and when so audited they shall have the same force and effect as if audited by the Board of Supervisors and shall be paid by the county treasurer upon the certificate of such auditor in the same manner. The Board of Supervisors has the power to prescribe the form and manner of presentation of bills to the auditor, the method of keeping a record of such presentation and the action of the auditor thereon. This act was subsequently amended by Chapter 384 of the Laws of 1913, which gave the boards of supervisors which had appointed auditors the right to exclude from their jurisdiction classes of accounts which any such boards might select. These acts further provide: "In case of refusal or neglect of such

auditor or auditors to audit any bill presented for audit for the full amount claimed, the claimant shall be unprejudiced by such refusal or neglect and shall have the right to present the same to the Board of Supervisors for audit." This means that the auditor is little more than a clerk, for if he cuts an account an appeal will at once be taken to the board from his decision. The auditor therefore has no real power unless backed by a board which is willing to give him a free hand.

County Law on the Comptroller

The general County Law (Sec. 234-239a) provides that by a referendum the people of any county may decide to have a comptroller, to be elected by the people. His duties include that of auditing claims, and in case he rejects or modifies a claim it takes a two-thirds vote of the elected members of the board to over-ride his veto.

In Erie County the office of auditor is regulated by a special act which copies from the general county law all the duties of audit laid upon a comptroller, and adds the general duties of a comptroller plus the obligation to keep a check over the inventories of all departments and to "superintend the financial affairs of the County of Erie pursuant to law and the resolutions of the Board of Supervisors."

I am told that Nassau County has a comptroller and that Oneida and Schenectady have auditors. In the rest of the counties the auditing is done by a committee of the Board of Supervisors, and the necessary bookkeeping is attended to by the clerks of the board.

For eight years I was a member of the Erie County Board of Supervisors and for nearly three have been the County Auditor. From talks with expert accountants who are familiar with county affairs throughout the state and from my own personal experience, I shall try to point out how these provisions of law work in practice.

Failure of Committee System of Audit

In rural communities, when the auditing is done by committees of supervisors, aided perhaps by the clerk of the board, there is a general lack of knowledge of accounting, and the looseness of methods are such that there is large room for waste. The supervisors are frequently keen men and can handle a single item

of expenditure pretty well, but they are so lacking in knowledge of the methods by which the facts of the business they are handling should be collected and presented that their judgment has no chance to be applied to the work in hand.

No doubt you are raising the question in your minds whether an auditor cannot just as well be appointed as elected. That depends upon several factors. In the first place, it is not feasible to have the same kind of organization in a small rural county as in a large urban one. In the smaller rural counties it would be best to appoint the auditor. He could not be paid much of a salary, and for a limited amount of money a better man can be found by appointment as a general rule than can be secured by election, because the capable man will not waste his time over an election. The auditor thus appointed should hold office for a definite term, say, four years, with powers to approve or reject claims without an appeal to the board from his decision. Let the courts have the power to review his decision, as they now review the decision of the Board of Supervisors. It is only fair to the auditor to give him some real power. He must assume responsibility for his acts in any event, and where a board both appoints him and may repeal any decision he may make, he must in his work carry out what he knows to be the idea of the board, although the board may afterward say that what they did was on his recommendation and that he, not they, was to blame for some audit open to criticism.

I believe that all auditors should have the power to act on claims with no appeal from their decision except to the courts.

More Power Needed by Auditors

It is a difficult matter many times to get a line on prices. If I call up some merchant and say the Erie County Auditor wants to know the market price for his goods at a certain time, he is at once afraid that some dealer in the same line will criticise him for not standing by the trade, with the result that it is impossible to get anywhere near the real prices. It is necessary to resort to all kinds of subterfuges to try to get at them. Sometimes a dealer will give the actual prices, but upon the condition that the information is confidential and not to be used in public. Information of that kind is of little value, because when an appeal is taken from my decision I must have facts to give the Claims Committee of the board. I cannot give them confidential

information. They must know who says that the price is unfair. As the committee and the board are always far more liberal than I, it is discouraging to fight claims before them. I may know what is fair, but to prove to the satisfaction of a committee that my decision is a just one is difficult and often impossible.

Let me point out right here that a good purchasing agent can lighten wonderfully the work of the auditor. As auditor I cannot get a line on prices, but if I can say that I want to make a purchase there is not the least difficulty in getting a quotation. A good purchasing agent can reduce the work of the auditor in all supply items to the simple task of checking bills against contract prices on file in his office.

Let us return from this digression to consider the factors on which rest the decision of whether to appoint or elect the auditor. The larger urban county presents a more complex problem. There is more need to provide for checks and inspection than in a smaller rural community, where everybody knows what everybody else is doing. Therefore in large urban counties I should favor the election at large of a comptroller because of his value as a check on the accounting of all departments and the buying and receiving of supplies. Perhaps this general opinion of the usefulness of comptrollers can best be illustrated by some personal experience.

How Stealing Was Stopped in Erie County.

The enlargement of the powers of the Erie County Auditor to those of a comptroller arose from stealing, which occurred in the treasurer's office. A firm of expert accountants were employed to go over his books and to make recommendations for the general improvement of the accounting methods of the county. This firm pointed out that there was no check over the treasurer except annual examinations, and that this was too long a time for so important an office without some outside oversight. Let me say by way of explanation that where the duties of a comptroller and treasurer are properly divided the former is the keeper or comptroller of the books, while the treasurer is a cashier with only such accounts as are necessary for those duties. At the beginning of the fiscal year the comptroller delivers to the treasurer the tax rolls and charges him with the total tax levy. At the end of the fiscal year the treasurer must account to the comptroller for enough cash and unpaid taxes to

equal the amount on the rolls with which he is charged at the beginning. This firm of expert accountants recommended that somewhere the power of a comptroller should be given to some official who should be responsible for the general control of all county accounts. They recommended forms to be followed by all departments. It soon became evident to the Finance Committee of the Erie County Board of Supervisors that it was useless to recommend the installation of new accounting methods unless there was some one on the job to see that they were followed. Hence it secured the passage of the necessary amendment of the auditors' act.

Inspectors for Quality and Quantity of County Supplies

Soon after taking office it seemed to me that an auditor who sat at his desk and accepted the certification of department heads as to what and how much was received in supplies took a lot for granted. So I persuaded the board to let me have an inspector to visit the various institutions and check over deliveries, articles proposed to be sold, repair jobs and inventories. As soon as he was set to work it was shown that the stockroom methods were so poor that no checking of supplies with certainty was possible. There was not a stock ledger in the whole county. The installation of up-to-date methods in the storerooms became a necessity that the inspector might do his work. It was also quickly shown that the specifications on which supplies were bought demanded more careful drafting, else it was impossible to determine whether the county was receiving what it had contracted to buy. There are several reasons which make the presence of an outside inspector valuable. From what was just said, it is seen that careless methods must be changed or he cannot do his work and the new methods are not allowed to relax. His calls are a spur to the negligent and a source of help to the diligent and faithful. Such an employee may not want to complain himself for fear of incurring the displeasure of his superior, but if there is something which ought to be corrected it is more than likely that a way will be found to bring the matter to the notice of the inspector.

Now, let me give you an example of what may be done by improved methods of store keeping and inspection under the right kind of men. The Erie County Home and Hospital is an institution with a population of between eight and nine hun-

dred during the period in question. A stock ledger was installed to show a perpetual balance of supplies on hand, and with columns so arranged that variations in the demands of departments were easy to detect. Nothing was issued except upon written requisition signed by the department calling for supplies. Inspection of deliveries could be made and checked by aid of the daily balance plus the delivery in question, less the requisitions on file. An analysis of the results achieved in five articles alone shows that if the old method had remained in use the county would have paid for meats, butter, eggs, coffee and tea in a single year \$5,139.56 more than it did. An exact determination of the showing in all lines has not been made, as it would mean a lot of work, due to imperfect methods in the past, but I believe the total saving for one year would be not less than \$17,000.

The Auditor and the Budget

The auditor should lend his aid to the preparation of the budget. A budget properly prepared is of the greatest value to the supervisors and to the public. It is educative because the functions of each department must be explained. It is a check on extravagance because increases must be justified. The public is not interested in questions of finance as a rule, but it has an active interest in how its money is to be spent, and this interest will grow if the public find that the activities of departments are controlled by their appropriations in the budget. For these reasons it is important that departments be compelled to make true estimates of their needs and to live within their estimates. A comptroller who will insist upon a budget which is easy to understand, which makes ready comparisons between years, which is out in time for public inspection and discussion, and who will work to keep departments down to their original appropriations, such a comptroller is doing a valuable work and ought to be pretty independent if results are to be expected from him.

All municipalities have difficulty in keeping departments within their appropriations. Some issue deficiency bonds to take care of overdrafts. In our county a contingent fund is always provided in the budget for such emergencies, but it is too easy to fail to anticipate a need and then ask for help from the contingent fund. I am going to ask our Finance Committee in

the future to add to the appropriation for each department the total advances in the preceding year from the contingent fund. This will call attention at budget making time to what it actually costs to run a department, and I think will be more effective than any number of resolutions directing departments not to overdraw their appropriations.

Should Supervisors Appoint Auditor

Now, let us suppose counties to be managed by a board of three supervisors elected at large, with power to appoint all the other executive and administrative officials. The auditor in small counties and the comptroller in large ones should be a check upon all departments through audit of claims, examination of books, inspection of supplies, inventories and preparations and allowances of the budget. The appointees of the Board of Supervisors will reflect the wishes of those who appointed them. It will be done consciously and unconsciously. It is simply inevitable. The inspector, whose orders come from a chief who looks to the same chief as the buyer, will not be so critical of the work of the buyer, because he will feel that what the buyer has done must reflect the wishes of those higher up. Of still more importance will this tendency be when the control and checking of all financial operations is centered under one general management. For the comptroller's department to criticize the treasurer's department would be unthinkable because no administration would furnish political capital against itself. To summarize the whole situation, the comptroller stands in the position of a censor of all other departments, and to make him an appointee of the Board of Supervisors would rob him of his independence and his chief usefulness. It may be that in case of county government by a small board, if the county treasurer were appointed by the board as a whole and one of its members was made responsible for the comptroller's department that the value of that official would not be impaired, because he would be individually responsible to the public for a distinct class of duties.

Short ballot government is coming. The tide is running that way in the State, in the cities and in the counties, but it remains to be decided how short the ballot should be. I earnestly hope that some facts have been presented to create the opinion that

where there is need of a county comptroller it is most important to safeguard his independence.

Mr. Buck added:

"I believe it likely that this coming winter Erie County will be in the Legislature with an act asking an appropriation to create a board of Assessors for Erie County."

DISCUSSION.

Mr. Cartwright: "What is the total cost of the auditors' office, including assistants, in Erie County?"

Mr. Buck: "About \$10,000. We have saved the county any number of times that amount."

Mr. Cartwright: "Another question. When you speak of an application to the Legislature for a County Board of Assessors will that be a separate movement from the effort of the county to get a new commission?"

Mr. Buck: "Yes, the situation in Erie County is peculiar. Four-fifths of the population is in Buffalo, yet the Board of Supervisors is equally divided, twenty-seven from towns and twenty-seven from the City of Buffalo. The Supervisors from the towns in Erie County will be strongly opposed to a small Board of Supervisors because of their peculiar position."

Mr. Gilbertson: "I would like to ask whether or not the interest of the county would not be furthered by an extension of the powers and facilities of the State Comptroller so that there would be a closer and more frequent audit. Of course, I realize that an audit of that kind would be purely secondary and would come perhaps in some cases after the horse had been let out of the barn. At the same time, would not such an audit by its reflex influence have pretty much the same effect as having an independently elected auditor—of course retaining the local auditor simply as a check against disbursements from the treasury."

Mr. Buck: "I don't think it would because these examinations come at rather long intervals, or even at shorter intervals. One of the duties of the comptroller in Erie County to keep close watch over the treasurer; the treasurer might walk off with several hundred thousand dollars and it would not be known until the next examination."

Mr. Gilbertson: "You misunderstand my point. I would retain the local auditor as a check against the treasurer and

then the State Comptroller's office would be a check against the whole county government and would obviate the need of having a county auditor elected."

Mr. Buck: "I think it would be valuable to have an outside inspection of supplies from time to time. The effect in our county is beneficial. As an instance, when we called for pure vanilla, we received what on analysis proved to be an imitation. We rejected it and the dealers were going to get us into court. The next analysis showed that the delivery was pure vanilla, but it was in a bottle marked the same as the imitation. They thought we would reject on looks instead of examination."

Mr. Smith: "Is this inspector appointed by you."

Mr. Buck: "I was given the power specially by the Erie County Board of Supervisors to authorize and create any position in my judgment necessary."

Mr. Smith: "How many do you have?"

Mr. Buck: "Four; one inspector and three bookkeepers."

Mr. Smith. "What are their salaries?"

Mr. Buck: "Three at \$1,200 and one at \$2,000."

Mr. MacMillan: "Have you been able to effect any saving in the tax rate?"

Mr. Buck: "Of course, the tax rate would have been so much more in these circumstances if the work had not been done. Of course when you take an expenditure of \$1,500,000 a saving of \$10,000 or \$15,000 does not make very much of a dent."

Mr. MacMillan: "Of course we don't advocate letting things go. Should you sometimes have to spend three times what you save the benefit reaped in the future is often a great deal more than it is at the present time. As I have listened to the descriptions of conditions in other counties in this State, I don't hesitate to say that conditions in Erie County are better than in these other counties."

Mr. Buck: "If we had not had a county auditor we would have been painting buildings at more than the building's cost, I have no idea what a bad state we would be in if we had not had an office like this. My predecessor in office was a peculiar individual in the way he conducted matters. He was sent to state prison."

Mr. Cartwright: "Mr. Buck is modest in his statement in regard to the saving in Erie County. Recently I was talking

with a prominent attorney who stated that the office of auditor had been worth at least \$100,000 a year in keeping expenses down."

[End of discussion.]

ADDRESS

"The County Judiciary"

HERBERT HARLEY, Secretary, American Judicature Society

I cannot find that any body in this country has ever talked or written about county courts, so I shall claim the exemptions of the pioneer, concerning whom we may say not that he has done something remarkable, but that it is remarkable that, under all the circumstances, he has been able to do anything at all.

The English tradition, which is the source of our jurisprudence, affords little assistance. Back in the formative period courts were highly centralized, the condition being an outgrowth of the original conception of the sovereign as the fountain head of justice. Whatever the inconvenience, suitors had to go to the centralized tribunals, or in other words, had to "go to court."

When American institutions were being evolved the need for localized tribunals was insistent because the distances were great and the population sparse. So our forefathers went to the opposite extreme. They provided every township with a court. This local court was a rough and ready approximation to the needs of the times. Its characteristics were substantially these:

Local Justice Administered by Laymen.

1. The magistrate need not be a lawyer. This was guaranty that there would be no lack of eligible candidates for the office in even the most primitive community. It was also in accord with the current prejudice against social orders and class distinctions. The sweep of events was in the hands of the Puritan, whose distrust of the academic was only equalled by his inexperience with it. Still somewhat dizzy over the declaration that all men are created free and equal the new democratic society was tyrannous in its treatment of experts.

2. The magistrate was elected. He drew his authority from the general reservoir of political authority through a pipe line

that was all his own. He was answerable to all of the people in general but to none of them in particular.

3. No higher judicial officer was made responsible for the official conduct of the magistrate, so he lacked the direction and assistance which would have been his if he were part of a co-ordinated system. Because supervising authority was lacking there grew up a body of legislated rules. These rules were law, but in accordance with American political doctrine, no person was made expressly responsible for their enforcement. They were to be enforced in the general way, by litigation in the courts.

4. No salary was provided, but the magistrate was given letters of marque, as it were, commissioned to go a-privateering on the seas of litigation and take his pay from whom soever he could collect it. This had the effect of making the administration of justice locally appear inexpensive and in turn this exemption from the budget helped to shield the magistrate from public criticism or supervision.

The office of magistrate was not attractive. It carried no dignity. There was no pretense that the local court was qualified to make fine legal distinctions or to exhibit great sensitiveness to the rights of litigants, but to offset this shortcoming disappointed suitors were permitted to have their causes retried subsequently in the next higher court. There was ample precedent in Massachusetts at least for the idea that an issue was not settled until it had been formally tried two or even three times. In a hierarchy of courts the tribunal at the bottom has little chance for dignity or respect.

This localized lay judge of limited jurisdiction, under the name of justice of the peace, became the type of inferior judicial officer for practically all of the states. Our forefathers could not have been expected to fill the obvious need any better than they did. The demand was for a magistracy that was primitively simple, inexpensive in appearance at least, and thoroughly decentralized. The justice of the peace in typical form was the natural outgrowth of the conditions. As a local peace officer, empowered to try for petty offenses, and to examine and hold for trial persons accused of felony, the justice of the peace filled the bill fairly well. As a court for determining civil rights he was quite generally a failure, but he was the best that could be had in pioneer times.

The Passing of Pioneer Conditions

But a century has passed. We have no pioneer country. In place of scattered settlements in the woods we have a rural population in villages and on farms united by trolley lines, telephones, automobile roads, free postal delivery and daily papers. Every factor of social and industrial life has changed. But the justice of the peace remains, still consistent to the theory that he need not know the law, still commissioned to collect his own salary, still under little supervision. Is it any wonder, then, that almost every reference to the office is one of contemptuous and cynical humor; for what we can't cure we turn into a joke.

Desperate needs have caused some inroads upon the domain of the justice of the peace, as exemplified by the introduction of municipal or county court judges in certain states. These innovations have enabled many of the larger county towns to escape the muddled administration of law by justices of the peace, but the greater number of our people are still dependent in all lesser and more immediate legal matters. No plan for the improvement of the administration of justice within the county can overlook the insistent need for providing an expert and responsible magistracy.

As an approach to consideration of the entire problem let us first observe the reason for local courts of limited jurisdiction. Their excuse for existence lies in the economies of administration. A cause involving a small amount cannot stand the cost of trial at a distance from the residence of the parties and witnesses, nor can it afford to await the sittings of a court held at long intervals. To load the cost of trials is eventually to deny justice. Since local courts, exercising part of the judicial power of the state are necessary, it is plausible that the unit of territory should be the county which is the natural unit of state administration. The civil causes which belong in the county court will be found to fall into two classes:

Jurisdiction of County Courts

1. Those involving sums sufficient to warrant trial at the county seat or at some other place within the county where sessions of the county court are regularly held.

2. Those which involve less sums, or originate at points more remote, and must be tried nearer to the homes of the parties.

The cost of removing a cause is the cost of moving the parties and all of their witnesses.

Here, then, we have a definite territory and a definite function. There is nothing recondite about the problem of performance. We are but applying short ballot principles by starting with the theorem that for the administration of justice within the county we must make some one person responsible and must intrust to him adequate authority. This implies a county judge in whom is vested the jurisdiction of the county court together with power to direct the actions of all officials serving under him in this court.

As will be seen when I have completed the outline of the county court judge, the office is a conspicuous one, far more so than any county office now responsible. The county—meaning the typical county—is a wieldy district. The burden of proof is assumed by the person who would fill the office otherwise than by election. I foresee no harm in filling the office by appointment provided the selection is made by a conspicuous elected official who is directly responsible for the administration of justice. The governor does not fit this definition, for he is only remotely responsible for the administration of justice.

Of course, candidacy must be limited to lawyers who have been in practice a certain length of time and have lived in the county a reasonable period. Lawyers come to be pretty well known to the voters. The number in the typical county who would be acceptable or who would be attracted to this office would be so small that selection ought not to be very difficult for the voters. The choice would be automatically narrowed down to a few eligibles and a non-partisan ballot could doubtless be relied upon to give a genuine expression of public choice.

Is it possible under an elective system to attract to the public service lawyers who are independent, ambitious, strong willed? In the light of present experience we must admit that it is not possible, except in rare instances, unless some different form of election and tenure is provided. We must remember that the lawyer is an expert who has devoted years to preparation and who virtually throws away his stock in trade when he gives up a clientage to go upon the bench. If election is made very expensive, if terms are short, if re-election depends upon fortuitous circumstances rather than merit and faithful service, then the

public will rarely secure the services of the most ambitious and capable men.

So inherently attractive is public service that there are occasional exceptions. But a people who subject their servants to unfair risks commit an immoral act, and in the end suffer dire consequences.

Is Popular Election a Satisfactory Method of Selection?

Is there any way of electing judges and removing them by popular vote which affords the incumbent the assurance of a long tenure, of a career, if you please, and of independence, provided he performs his duties faithfully and intelligently?

Our ordinary plan of popular election contains inconsistent elements. In offices in which long tenure with its resultant expertness is desirable to periodic election is at least three-fourths a mere recall and not more than one-fourth a plan for selection. A form of removal at the polls is essential to an elective system. But when the matters of selection and rejection are closely coupled, as they ordinarily are in our election system, we present no clear cut question for the voter to pass upon. It is unfair to the incumbent to stimulate the ambition of rivals until the people have passed upon and disapproved of his continued tenure. The incumbent as a candidate should be required to defend himself on his record, not defend against the interested assertions of seekers for his political scalp.

This view can be carried out by providing that after a reasonable term, such as four years, the name of the incumbent shall be submitted to the voters with the question, shall he be continued in office? yes, or no. If approved his name should not be submitted again for six years, and a second approval should confirm him in office for ten years, or possibly until a retirement age is reached.

If not approved there may be an interim appointment and an election at the next time that county or state officers are chosen.

It is submitted that such a plan would give the electorate opportunity to retire an unfit or unpopular judge, but as the submission would be at stated intervals no odium would attach, as is unavoidable in case of the recall. There being no rival candidates the judge would be confirmed in office unless the voters expressly wished to retire him. This would be tremendously to the benefit of the incumbent and would relieve

the public service of the present great waste due to the failure to re-elect judges whose defeat is due not to personal disqualification, but to the accidents of politics. Probably three-fourths of the judges defeated for re-election fail because of some shift in the winds of politics over which they have not the slightest influence.

Assuming, then, that we have made the terms of public service, the salary and tenure reasonably acceptable, so that the most trusted lawyer in the county will courageously abandon his private practice and look forward to a judicial career, we may say that the jurisdiction of his court, if he is to be actually responsible for the administration of justice, should be broadly inclusive as to subject matter.

Make the Jurisdiction Comprehensive

There seems to be no reason why it should not include equitable remedies. It should certainly not leave for commissioners or other magistrates such special proceedings as suits between landlord and tenant. All of the administrative work of the probate court should be included, and this may be accomplished by making the county judge register in probate, or assistant to the court of general jurisdiction to which probate causes are assigned. This division would rest on the principle that uncontested probate matters are best cared for by a local judge while contested matters deserve as much experience and training as important chancery causes.

It is desired to fix the limit of county court jurisdiction at such a point that one judge will be kept reasonably busy in the county of average population. Accepting the foregoing broad view as to subject matter it appears practical to make this limit \$500 alike in contract, tort and chancery matters.

As to criminal matters the county court should conduct all preliminary examinations, should possess exclusive jurisdiction in misdemeanor causes and should have concurrent jurisdiction in all but a few of the most serious felonies. This would mean that in the more common kinds of felony the accused would have the option of being tried by the county judge or by the itinerant judge of the court of general jurisdiction.

The jurisdiction should then be broadened still more by permitting the county court to hear and determine issues involving more than \$500 by agreement of both parties. If a single

judge could handle all the business thus specified in a county having 40,000 population there would be comparatively few counties in which additional judges would be required.

The county court will be presumed to be in session every day at the county seat where there will be a resident county court clerk. It should also be competent for the county judge to convene his court anywhere in the county and regular sittings should be scheduled in towns of sufficient importance.

This takes care of the first class of cases, those involving enough money to justify trial at a central point. It is in respect to the economical and efficient trial of the lesser or more remote causes, arising in the villages and on the farms, that speculation begin. These are the causes which historically fall to justices of the peace. There are two plausible ways for taking care of them. One is to have the county judge visit every part of the county as often as is needed, and not less often than once in sixty days, to hear all of these little causes in person. This is done in Canada, where every township has a resident clerk and bailiff and is visited at least once in every sixty days by the county judge, who hears while on circuit civil suits involving not more than \$100. This appears to be the simplest possible system, but it does not provide for criminal cases, for which an ever present official is needed. Since there must be a local magistrate of some sort to enforce the law criminally, and since we are accustomed to decentralize judicial power in its most extreme form, it would seem better for us to solve the problem by continuing to have local judicial officers of small jurisdiction, both civil and criminal.

How, then, is this magistracy to be different from and better than the present justice of the peace system? We know the faults of the latter, and it should not be difficult to avoid them.

Advantages to Accrue from Proposed Changes

1. We need to make the office more important, more dignified. This is best done by making the district larger. We no longer need a magistrate for every township. There are some townships which can afford sufficient business for such an officer, but on the other hand in some cases four or six townships together will not yield any more business. This leads to the conclusion that the districts should not be uniform in size. The county should be districted arbitrarily to meet such conditions

as the distribution of population, the location of centers and facilities for travel. There should be as few districts as is possible just so that every citizen is provided with a court which he can reach in one or two hours of travel by the most inexpensive method.

Carrying out these views we would create probably from four to ten districts in the various counties. Perhaps six or seven would be an average. In each district there would be a magistrate who would be a part of the county court.

2. We need some form of expert selection. Every such district would have some men peculiarly qualified to become parts of the county court scheme who would hold office and serve the public if the position were tendered them, but who would never actively campaign to get this seemingly insignificant office. By making the selection one by experts, rather than by popular ballot, the office would further be dignified and enhanced. It would be possible for the county judge to select the magistrates on the theory that they are virtually his deputies, but this would subject the judge to a vast deal of importuning which he should be relieved of if possible. A better way would probably be to have the magistrates selected by the county board of commission with the approval of the county judge. Under such a plan the county judge would virtually select and at the same time escape most of the solicitation of the office-hungry.

3. We need to abolish the fee system. The magistrate should have a motive for preventing contested trials, rather than for starting and prolonging them. We must not penalize the magistrate who wants to act as a peace maker. This means a fixed salary. Not a uniform salary, for in the various districts of a county the work would vary greatly in volume. It is presumed that most magistrates would only devote their spare time to the office and in this way responsible men of affairs could be secured. In some districts a salary of \$100 a year should suffice. In others the work might take all or a substantial part of the official's time, and carry a salary of \$1,000 or more. But probably the typical magistrate would be one receiving from \$200 to \$300 a year.

4. We need to obviate the present lack of administrative direction. We must weld these magistrates and the county judge into a single organized body answerable to a single will and so responsible to the public. This is best done by considering the

magistrates to be in a sense deputies of the county judge. They are to be an extension of his person reaching out to every homestead in the county. To accomplish this the judge must have power over the magistrate, and this can be granted in several ways:

(a) One way is to permit the county judge to discharge a magistrate at will. Some check could be imposed upon this power.

(b) A second way is to permit the county judge to take into his own hands any cause begun before a magistrate at any time before judgment is rendered.

As to the nature and extent of jurisdiction of the magistrates? What we wish, virtually, is to give to those magistrates who develop genuine ability a large place in adjudicating their neighbors' controversies, and to afford easy relief from the personal limitations of the less capable. It would be unfortunate to have a narrow jurisdiction fixed rigidly, for there is fair presumption that the office would attract more intelligence and disinterestedness than the office of justice of the peace in traditional form. In most localities there is some worthy citizen, a natural leader, who could, under an ideal tenure, render a very high service through conciliatory methods and informal procedure, and he should be given large scope for developing his capacity as judge and peacemaker.

What Jurisdiction for Magistrates?

A reasonable jurisdiction to confer on magistrates would seem to be as follows:

1. All matters within the jurisdiction of justices of the peace, subject, however, to the power of the county judge to take over any cause for his personal hearing and determination. Application for such transfer can be made by either of the parties litigant, by the district magistrate, or the county judge can arbitrarily take any such cause without application.

2. Any cause or matter within the jurisdiction of the county court assigned especially by the county judge to the district magistrate.

3. Any cause within the jurisdiction of the county court which the parties agree shall be heard by the district magistrate.

The machinery of the county court, thus outlined, will be found admirably adapted to the administration of criminal law. It

provides a judicial peace officer for every small community and a central court always in session at the county seat where there is a lockup.

District magistrates should have power to issue warrants and conduct preliminary examinations in the same manner as is now commonly done by justices of the peace. They may also be permitted to hear and determine charges involving penalties not exceeding a certain amount, reserving the more important matters for the county judge. If the magistrate is not permitted to preside over a jury, there would be a strong motive for waiver of jury trial as a saving of time and money on the part of the accused. The right to have a jury trial in a criminal cause is a grand thing. Its exercise in every trifling cause would quite block the wheels of justice.

The county judge should be permitted by rule to take over for trial before himself every criminal matter triable by a magistrate. This would make for uniformity of law enforcement throughout the county and would enable the magistrate to transfer the responsibility in certain embarrassing prosecutions to more capable shoulders.

As to the limit of criminal jurisdiction reposed in the county court, it would probably be most expedient to retain the dividing line between felonies and misdemeanors, but to permit trial of all but the most serious felonies by the county judge with the consent of the accused. Nearly all those charged with serious offenses would then have the option of being tried by the county judge or of being held for trial at the next term of the court of general jurisdiction.

It might be found desirable to impanel a jury in a county court regularly once a month. In a few days all jury trials would be disposed of. This would be a great improvement over the custom of utilizing locally the special venire which is wont to bring semi-professional jurors into most cases.

We have now a rough sketch of a county court which fixes responsibility on a conspicuous popular officer and provides him with a corps of local assistants subject to his guidance. It is timely to consider the relationship of such a court to a thoroughly organized state court system.

A Unified Judicial System

It must be presumed that the system is made up of three general judicial departments, namely, the court of appeal, the *nisi prius* court and the county courts. It must be presumed that the entire system will be governed by a council of judges possessing large powers for judicial administration and with respect to creating and amending rules of procedure; also that there will be a chief justice of the state who will be the executive head of the entire establishment.

It will doubtless interest you to learn how short ballot principles apply to the selection of judges. I have already asserted that the governor is not the ideal appointing officer, because he is not responsible for the due administration of justice. He is directly interested in maintaining a party organization and in forwarding a legislative programme, and for one of the other of these duties must subordinate his appointments.

As consistent believers in the short ballot why should we not say that on the state ballot there should be one vote for the executive, one for a representative in each branch of the legislature and one for the head of the judicial department? If the people so elect the chief justice of a unified and organized state court system, making him the executive officer to see that the judicial machine works efficiently in all of its many branches, they will have an official whom they can hold responsible for the administration of justice. They can at least if they confer upon him power to select judges. If that power is given they will have for the first time real expert selection of judges; they will have a short ballot judiciary; they will judge or of being held for trial at the next term of the court of have judges appointed by one who is directly responsible for the due administration of justice and who will have the highest possible motive for making wise selections, because the success of his own administration will depend upon the ability of his associates.

There are some things which the voters as a group cannot do with assured success, and the selection of the best juristic talent from the bar is one of them. If their judges are ever to be democratically representative of the majority of the voters, they must be chosen by some one person whom the voters elect for this definite purpose.

When we speak of appointed judges we ordinarily think of life appointment. But there is no reason for confusing the method of selection with the tenure. The reason we do this is because under the elective system a confused issue is presented to the mind of the voter, who is required at a single stroke to pass upon the proposed recall of the incumbent and at the same time the choice of his successor, if there is to be one.

Expert Selection of Judges

We can have expertly selected judges, as every other civilized country has, and as fourteen of our own states have, without necessarily having life tenure. The appointed judge can be submitted to the electorate and there is reason to believe that if the single, clear-cut issue is presented, whether the incumbent will be continued in office, or retired, there will be a conservative and intelligent answer.

The chief justice exercising the appointing power should hold for a comparatively short term, say four years. In that case he would not be able to make very many appointments, or seriously alter the personnel of the court, without a submission of his name and record to the voters. This would be genuine, not sham, democracy. If we ever give real democracy a trial we will find out whether we like it or not.

Then, to free the appointing power from dependence upon party organization, why not provide that a chief justice defeated for re-election shall have the privilege of remaining in the court, subject to the regular submission after a reasonable period? He would be assigned to work by his successor. Failure to be re-elected would mean dissatisfaction with his policy as an executive at the worst, and usually it would be merely the loss of power by the party supporting him.

We can hardly conceive of conferring any power without at the same time providing a check. But there is something better by far than any customary check upon the appointive power of a chief justice. It is to limit selections, or a share of selections, to an eligible list. This eligible list would be a public list containing the names of twice as many judges as there are places in each branch of the court. Names would be placed upon it as vacancies occur, by the judicial council, the governing board of the state judiciary. This would compel the chief jus-

tice to select from a list made up in advance of the vacancy by men whose only motive could be that of public loyalty.

The foregoing digression presents very crudely the American Judicature Society's application of short ballot principles to the judiciary.

There will be in the average state a small proportion of counties too populous to get along with a single county judge. There is experience warranting the belief that with a civil jurisdiction extending to \$500 a county judge can serve a population of 40,000. In more populous counties up to 70,000 there should be an associate county judge, like the county judge in all respects save that he shall be subject to administrative control by the latter, and for every 30,000 population over 70,000 there should be an additional county judge. In most states there would be only a few such larger counties, and they could be provided for individually.

A county judge who has an associate could assign supervision of the districts to his colleague, trying the more important causes himself at the county seat; or the two might specialize severally in civil and criminal matters. The division of work should not rest upon any general rule, but wholly upon the discretion of the county judge.

With two associate judges further specialization is possible. One might have sole charge of the probate department of juvenile offenders, and of the domestic relations branch, thus affording smaller urban districts the same benefits which large cities may enjoy, and which cannot readily be secured under the existing organization, or lack of it.

Points of Contact Between Higher and Lower Courts

A principal point of contact between the county court division and the rest of the state judicial establishment would arise from the duty of the chief justice of the state to collect and publish full statistics of all divisions and branches of the state court system. The district magistrates would be required to report their business to the county judge as frequently as once a month and not less often the county judge would be required to report for the county to the chief justice.

In most of the states it would probably be preferable to permit the chief justice to delegate his control over county courts to a judicial officer known as presiding justice of the county

courts. If the administration of justice in the local courts is to be brought to a highly efficient plane the work of supervision merits the undivided attention of one properly qualified official. Given such a presiding justice it may be presumed that he will spend much of his time in the field, traveling from county to county, encouraging uniformity of practice and checking or stimulating county judges according to their individual needs.

There are other points of contact. The jurisdiction of the county court civilly should be concurrent with the jurisdiction of the *nisi prius* branch. Abuse of the right to begin causes involving small amounts in the higher court is readily presented by rules concerning costs, as is done in Canada. The plaintiff who does not recover more than \$500 may be required not only to forfeit costs, but to pay costs, at the discretion of the court, to the defeated defendant. The flexibility thus secured will be appreciated by the litigant who believes, whether for cause or not, that the local judge is prejudiced.

A close union of the local and general courts may also be effected through making the county judge *ex officio* master for his county of the Circuit Court. This dignifies his position and makes the business of the higher court more continuous in the most remote parts of the state.

On the ministerial side there is also close relationship because the clerk of the county court will be the local deputy of the clerk of the entire state court. The district magistrates will keep dockets and will issue process and make reports as deputies of the clerk of the county court.

A definite picture of such a court in action is not available, for we have no example to present. I conceive of it as a court presided over in each county by a judge who has within his limited jurisdiction considerable freedom and authority. I would expect him to be fairly well equipped as a jurist and even better as an administrator. No county officer would be closer to the people and none would perform a more important work.

I conceive of the district magistrate under this ideal system as a substantial citizen who commands the respect of the public. Handling the small cases arising throughout the county, but at some distance from the county seat, there would be, under a simple and flexible procedure, a great opportunity for conciliation. A respected magistrate, such as we could presume as the

type, would endeavor to adjust differences arising among his constituency with the least cost to them. Legal problems he could submit to his superior, so that first-class counsel would be free to those contemplating litigation. The litigant, in the hour of his wrath, would be saved from himself. Trials would be inquiries into the truth, not barn-storming dramatics.

Constitutional Changes in New York

Of course, very little change in the structure of the New York judicial establishment is possible without constitutional change. The patchwork system now existing is embalmed in the constitution of 1894. The distinguished senior Senator of the State of New York took up the challenge when a critic called simplified pleadings nothing more than an old woman coming into court and telling her story. But the New York constitution is like a garrulous old neighbor, who comes in early in the morning and stays all day and talks. So far as the judicial article is concerned it is absurdly detailed.

In order to develop an efficient machine for administering justice the Legislature should have greater scope. The constitution should be organic law, and not gossip. Nothing should go into the constitution which is not absolutely necessary. In the judicial article there should be provision for a court of ultimate appellate jurisdiction, which court should be protected so that the Legislature cannot in the future cut the ground from under it if we are to continue our present universal rule of judicial pre-eminence. But beyond that the constitution should provide for such inferior tribunals, branches of the unified state court, as the Legislature may create. There should be no mention of county judges, justices of the peace, surrogates and the like specifically. We shall learn from experience and should have our hands free to profit by what we learn. There's little good in a so-called liberty which leaves us no freedom to develop.

[Dr. Richmond at this point arose and invited the delegates to tea at 5 P. M. at the president's house.]

Chairman: "Will you take to Mrs. Richmond our thanks, and as many of us as are able will accept the invitation."

[Mr. Cawcroft was unable to be present. His paper is inserted herewith in the place assigned to him on the program.]

ADDRESS

"The Sheriff and a State Constabulary"

By ERNEST CAWCROFT, Deputy State Treasurer, Albany.

City government is the definite alleged failure of our democratic system. Bryce gave currency to the common conviction of individual thinkers when he made this observation in his *American Commonwealth*. The American municipal situation needed a man of his independent and dispassionate power of utterance to bestir the civic conscience. Since Bryce penned his chapter on American city government, a series of conferences has initiated measures for improved civic administration throughout the nation. This is especially true in the newer western communities where the profits of existing property do not retard the progress of municipal improvement; and in those older cities, where public disaster, like a conflagration or an earthquake, forces an immediate improvement in local administration as a forerunner to grappling with the problems of reconstruction.

But as a result of this twenty years of discussion and experiment the cities have mapped out a definite program. This program pivots on home rule and centralized administration. Many cities have enjoyed these privileges for ten years past. The privileges of local administration have been exercised with such success that the friends of the cities are now seeking to give these powers definite constitutional sanction. Local privileges have become "rights" in the eyes of some of the municipal advocates and they desire the safeguarding of these "rights" with the same jealousy as the champions of the "walled cities" of England demanded guaranties of their charters from the Crown.

Needs of the County

But perhaps too much emphasis has been given to the "city problem" in comparison with the questions arising in connection with better county government. A city, unlike a county, is on the end of an Associated Press wire; and the evils which a city suffers, no less than what a reformer purposes to do, to, or for, his city, is heralded broadcast. It requires a county the size of New York or London to get its ills and its cures into the public mind.

There is timeliness then in the holding of a Better County

Government conference on the eve of the Constitutional Convention. The City program is defined, and in many respects the city and county problems are alike. All the world has read about the commission form of government which exists in the county known as Greater London; and people, both up-state and down, are willing to give their time to improving the efficiency and ethics of New York County. But this conference should give its attention to the problem of government in the average county in the hope that by giving stimulus and direction to the discussion, definite plans will be produced. I have connected the city and county problem because I think they are interlinked; each sub-division being a mere agency of the state but none the less vital; and because I have promised this paper on my conviction that better county government must come through the same method employed by the cities—namely, by the grant of a fair measure of home rule, and more particularly by the exercise of those home rule powers by centralized and responsible county authority.

Powers of the Sheriff

Thus, I desire to suggest for topical discussion: The Sheriff and Better County Government. I do this because I think that the first step in the better county government movement should be to restore to the office of sheriff its historical prestige and pristine vigor. Those who are unfamiliar with the historical setting of our state constitution may surmise from reading Section 1 of Article X of the instrument that the "sheriff" is a latter day creation. "Sheriffs shall be chosen," says Section 1, "by the electors of the respective counties, once in every three years and as often as vacancies shall happen. Sheriffs shall hold no other office and be ineligible for the next term after the termination of their office. They may be required by law to renew their security from time to time and, in default of their giving such security, their offices shall be deemed vacant. But the county shall never be responsible for the acts of the sheriff."

But in fact the "sheriff" has a definite history of nine centuries in England. The constitutional proviso gives form and some limitation to the historical growth of the office. As early as Edward, a statute required the sheriff to be a landowner, thereby attesting his interest in the king's realm and providing some measure of security to the victims of his errors or

his exactions; even before the days of surety companies. Maitland, the English legal historian, tells us that in the days of his prime importance the sheriff was the appointee of the king; he was, indeed, the governor of the county, the captain of the forces, the veritable president of the local or county court. He carried out the king's mandate in distant counties, raised the quota of local troops to repel foreign invasion; and because of the lack of quick communication with the seat of government, he quelled domestic tumult first and reported later. Within those so-called walled cities, which had received a grant akin to home rule powers, from the king, the sheriff was the remaining evidence of royal authority. I can picture in my mind something of the power possessed by the English sheriff in the sixteenth century and the esteem in which he was held. I remember attending a lord mayor's banquet at Bristol, England, a few years ago. Bristol, once the second city of the kingdom, retains today that respect for the prestige of the sheriff that was displayed some centuries ago, when the captain of the forces asked the residents of this then free city to volunteer men and ships to repel the oncoming Spanish armada. The sheriff entered the banquet room with the lord mayor; he was garbed in the historical regalia of his office, mace in hand; and his appearance recalled the historical days when, as to certain matters involving domestic peace and defense, he exercised concurrent jurisdiction with the lord mayor. But I appreciate the fact that this merger of executive, judicial and police powers in the English sheriff led to grave abuses. Maitland devotes a chapter to tracing the gradual growth of these abuses; then another to that series of enactments by which it was necessary to limit the power of the sheriff, but which at the same time diminished the prestige and lessened the usefulness of the office. The disintegration of the sheriff's office must be viewed as an historical and necessary fact; but this tendency, like all reactions, has gone too far and in the growth of a better system of county government the sheriff must be restored to his place as "chief-man," to use the exact and expressive phrase of an English law writer.

Now, we are not deceived by this gold-lace grandeur or by this knowledge of historical power. The sole purpose in making these citations is to give emphasis by contrast to the conclusion that the restoration of the sheriff's prestige promotes the public peace, and renders easier and less expensive the exercise of those func-

tions with which he is now vested and with which he should be endowed in a larger measure.

Commission Government

I think, then, that the students of county administration are agreed that the movement for a better system should tend in the direction of a commission form of government for counties; city commission government is being followed by county commission administration in the west; and the best city and county government combined is under the commission or "committee" form known as the London County Council, and which has stood the test of governing the largest unit of population in the world, designated as Greater London.

I have here suggested the shape which the county government should take, because I contend that the sheriff should be the center of that form of county commission administration. Our system of county government lacks executive force and cohesion. A people who started out to retain the balance of the three sovereign departments of their government have carried their theory to the extent of limiting in power and weakening in efficiency the local executive agencies of their government. The distinction between a sovereign department and a local agency should be kept in mind, but it has not. The whole effort to gain commission government for cities has been based on recognition of this conclusion.

The same thought must be kept in view in mapping out a better county government system. The sheriff must be made the "chief-man," the captain of the forces, the executive head of the county, in fact and with power.

The sheriff will, of course, continue to keep the county jail; and to exercise that tremendous power involved in receiving and execution from either a reputable or disreputable lawyer, as an officer of the court, and proceeding to sell our property under that mandate. The enormity of the power thereby exercised is so evident, and yet so necessary, that any movement which tends to increase the required prestige and responsibility of a citizen seeking the sheriff's office should be welcomed by property owners. Then the vacuum should be eliminated from our local governmental system; and any step which tends to make the sheriff an executive with real power in administering the affairs of his county, which seeks to vest him with the exercise

of all those residuary powers of county government not otherwise conferred on officers of a county as a state governmental agency should be commended.

Sheriff and Public Peace

But if we are to vest the sheriff anew with these ancient and enlarged powers as a county executive, his relationship to the machinery of preserving the public peace must be altered. This must be done not only to give him time for the performance of his executive duties, but because of existing system of preserving the public peace is expensive and inefficient. And when I speak of "public peace" I mean not only the absence of tumult, but the literal enforcement of the law as to individuals, without which respect for the community as a whole cannot long continue.

This commonwealth has entered upon certain definite policies on a statewide scale. It is reasonable to assume that by virtue of the additional powers given to certain departments of government by the coming Constitutional Convention that these policies will be broadened rather than diminished. Among other things, the state is pledged to a system of canals and the operation of boats thereon by the latest electrical mechanism requiring protection on a state-wide scale; the commonwealth is completing a system of highways having little relationship to county lines, which is the key to the sheriff's particular jurisdiction and leading to uniform legislation controlling the operation of vehicles and their safety devices; uniform systems as to the sale of liquors, the inspection of places of amusement, the supervision of factories and the coming state-wide effort to preserve the state's resources from destruction by fire or otherwise. Today the sheriff as the guardian of the law in his county is wholly or partially responsible for its enforcement as to the features cited and many others. But we know as a matter of experience that the sheriff is not in a position to enforce the law, particularly as to those evils which are not inherent crimes, but social or economic offenses; and this fact of experience is confirmed by the horde of deputies, inspectors and supervisors who flock on successive weeks from Albany to determine whether a particular statute, not the law in general, is being obeyed in our theatres, on our highways or in our business places. This is wasteful, ineffective and because it involves the exercise of

concurrent police powers it is difficult to determine who failed to enforce the law as well as to convict those who failed to obey it.

State Constabulary Needed

This brings me to the final point of this paper: That a state police or constabulary is essential to a better system of county government: Local sentiment will not approve of the appointment of the sheriff by the Crown or centralized authority, as in England; nor will it tolerate the re-establishment of the system under which the governor named the sheriff. He must continue to be the choice of the local electors; but as an officer charged with the enforcement of state laws in local jurisdiction, he must be made a leading factor in a state constabulary system. He must again become "the captain of the forces"—a lieutenant of the state police system.

I am in favor of creating a body of trained men, controlled and supported by the state, giving uniformity of enforcement to social and economic policies adopted on a state-wide scale, protecting the public highways from the speeder on one hand and the local grafter on the other, and sufficiently elastic in units to be moved from week to week to various parts of the state as the public exigencies require. The sheriff should be made the local lieutenant of these state police when in his county, and he should be held responsible to the state marshal of the constabulary. Today we witness the spectacle of townships or counties employing special deputies or constables to patrol a trunk line highway, or the "swearing in" of specials to enforce a particular law or quell a marked disturbance. Then these men must be carried on the payrolls of their localities, or they must seek a chance job until the passing of the snow, or the return of the next local tumult assures them work. This is a burden on the sheriff and the constables and deputies responsible to him, which should be borne by a state police. The members of a state police may be shifted with the seasons; equipped with motorcycles they can cover stretches of territory, supervising a variety of matters in place of many constables on a given highway or in a particular district, giving attention to one expected type of legal infraction. Moreover, this state needs a state police whose freedom from the need of local appointment, mobility of movement, assures power of concentration and unity of action.

Militia Is Necessary

But there is another situation which the sheriff has faced and which we as citizens must face. The local bodies of the state militia have been regarded as the powerful arm of the sheriff to quell tumult. The militia has been loyal in facing that task. But between a false peace propaganda, the spread of the doctrines of a particular political party or economic group and the growing feeling of young men that they do not want to be employed as militiamen only when there is need of quelling an industrial disturbance in which their neighbors may participate, the enlistments in the National Guard are decreasing yearly. The state needs a considerable body of militia for real military purposes; and it seems that a state constabulary should be organized so that a local sheriff may call for a group of trained men as a matter of course before the outbreak and not after and without the display of authority which is necessary but harmful because of the complications incident to invading a community with armed troops better prepared to fight in the open field than to meet the problem of quelling tumult without shooting in the streets of their own or neighboring city.

Thus, there is need that the Constitutional Convention vest the Legislature with power to make the sheriff a decisive factor in the state force. This does not mean that cities or counties should waive the exercise of their local police powers, but it does imply that the state is prepared to aid the local authorities in any given instance to enforce the law and preserve or restore the public peace. This may be done by the convention refusing to define strictly the powers of the sheriff, and leaving all to legislative enactment, except the manner of his election and the term of his office.

But in justice to the sheriff and in the interests of public peace there should be a clear constitutional declaration as to what extent he shall be burdened by civil action following the honest performance of what he deems to be his duty in time of public tumult. And, indeed, it seems to me that the provision of the statute making the sheriff secure an order of the Supreme Court as one of the legal methods of summoning the state militia to his county is a legal paradox. I am of the conviction that the employment of the militia is a prerogative of the Crown and should be exercised by the executive in his discretion and without question before or after the event. And, hence, I feel that the clause

requiring a Supreme Court order is out of place in the military laws of the state; and that the sheriff should be placed in a legal position to request aid from the marshal of the state police and that the latter in turn may secure the direction of the Governor as to the employment of the state militia—if a second line of defense against domestic tumult be needed.

Value of Constabulary

I spent several days at the headquarters of the Northwestern Mounted Police in Regina; I need not say that the record of these men for definite and drastic action has given to the force that prestige which has simplified the preservation of order in western Canada. It is a good thing for the viciously inclined to get into their minds that the sheriff is not going to debate with them or himself as to whether he will enforce the law. Nor is the value of such a force confined to days of disorder. I have seen the Pennsylvania state police operate in various regions; but I saw these young men do their best work at the fiftieth anniversary of the Battle of Gettysburg, when with efficiency and without officiousness they moved the vast throng of people and vehicles along the highways.

It may have occurred to you, as it has to me, that the proposing of a state constabulary at a Better County Government conference is wide of its mark. But there are those of us who are so jealous for home rule for cities and counties that we are inclined to overlook the historical and legal fact that these subdivisions of the state have no rights, but only privileges granted by the sovereign; that they must exercise these privileges as agents; and that unless the machinery of their exercise is brought into co-ordination with the state power which makes the laws harm will result. Thus in pleading that the sheriff be revitalized as the "chief-man" in a better system of county government, I have felt compelled to urge that he be made a factor in a state police force; that he be authorized to give aid to and be aided by a state force in the enforcement of state-wide laws.

ADDRESS

"The County Manager Plan"

By RICHARD S. CHILDS, Secretary,
The National Short Ballot Organization

When all the inter-relations of the various officials are represented by lines the result looks like a ball of yarn after the cat has gotten through with it.

My view of the county problem is that of a political scientist, and from the viewpoint of the political scientist the ground plan of county government is ideally bad. Political science does not concern itself very much with the administrative work of the county, but only with certain of the larger and more theoretical questions with which county officials, as such, are not usually concerned in their daily work. Those who are engaged in county work take the county organization as they find it and get along with it the best they can. When they find themselves baffled in an endeavor to do some desirable thing, they are apt to blame it on the other man who has gotten in their way, without stopping to discuss the broader question as to how the county might be organized in a way to make such a deadlock impossible. If the Board of Supervisors gets into a quarrel with the county clerk over some matter of mutual concern they fight it out and one or the other gets licked without much thought on the part of either party as to the fact that there ought to be some simple and automatic way of resolving such a difference.

"Checks and Balances" a Disease

Political science, however, sees in pulling and hauling, deadlocks and delays, merely the symptom of a disease, and disregarding all the immediate factors seeks a form of organization for the county which will make it possible to compel harmony. If expert social workers going through the state and visiting almshouses find deplorable conditions, slack management, easy-going methods or low standards, the political scientist proceeds to lay the blame once again on the kind of organization which decrees that the keeper of the county almshouse or the superintendent of the poor shall be a transient amateur, who is in office today and displaced by the whirligig of politics as soon as he learns his job. If a state examiner investigating the accounts of the county treasurer finds that the bookkeeping is slipshod and unreliable, the political scientist blames that also on the fact that

the county treasurer is a transient amateur, and, further, prophecies that all attempts to reform the conduct of the office are bound to be simply a running fight, because county treasurers come and go so fast that efforts to keep them educated up to the proper standards must be endlessly repeated. If the history of twenty years shows that reform in instance after instance has consisted in taking functions out of the county and vesting them in the state, the political scientist begins to suspect that the county is so organized that it falls down on the job as soon as the job becomes important or technical or difficult and that the development of the powers of the state government at the expense of the county is probably a case of the survival of the fittest.

Modern political science in this county is largely the development of fifty years of ferment in municipal affairs, and the principles which have been worked out in the cities in the long struggle for betterment are now pretty well established.

As a result of these long years of experimentation political science now discards certain ancient political superstitions of ours. In particular the fear of conferring power on anybody to do anything; the theory that if you give to one public body the power to do something you must give to some other public body the power to knock it down when it is done. We have found by long experience in city government, county government and state government that there is no safety in the theory of checks and balances, but, on the contrary, that divided responsibility is perilous and a serious and unnecessary obstacle to the efforts of the citizens to control their governments. The idea that dividing up power into many disjointed fragments would lead to democracy has proven fallacious, for instead of leading to democracy it has led us into bossism, and we found that when we undertake a campaign to remove one boss we can succeed only by dint of setting up another boss, who may perhaps have a better personal disposition, but a boss nevertheless.

How to Get Popular Government

Modern political science does not aim at devising a form of government that will automatically be a **good** government, for that is impossible, but aims at getting a form of government that will be automatically a **democracy**. The ideal of modern political science for counties is a county government that will be exactly what the public really wants it to be; a government that will be

bad if the public wants bad government and good if it wants good government, with faith to believe that the people want good government provided they do not have to pass through obstacles requiring paroxysm of effort to get it.

Consider now what the people of a county in New York State are up against if they seek to control the present type of county government. There is the Board of Supervisors, the county clerk, the county treasurer, the county superintendent of the poor, the sheriff, district attorney and coroner and the county court. Sometimes there is a surrogate and county comptroller in addition. Seven county governments or more; for the coroner, elected by the people, is a separate government all by himself, with no one who can give him orders, no one who can, except on paper, compel him to do anything. The sheriff is another little county government all by himself, and so is the county clerk and all the rest. All these seven governments are, to be sure, loosely connected up to each other by the moral and latent power of certain memoranda called laws, the exact nature of which they oftentimes seem to know little about, the real binding force of the county being often tradition rather than law.

Can Those Properly Qualified Officials Be Chosen by Election?

To control the government of the county as now organized the people must select competent and right meaning officials for all these offices on Election Day. The voter in his polling place must run his pencil down the list of candidates for each of the seven or nine offices and pick a well qualified person. This means that he must know something about the qualifications required for each individual office and the qualifications of fourteen, sixteen or eighteen candidates. A man who will make a good county treasurer might be a very bad man to choose for coroner, and vice versa. That is the theory of the voter's part in county government, but that is not all. After election the voter is supposed to scrutinize the conduct of each of this list of officials and see if each official maintains a correct technical standard. For all the offices are technical offices, with the exception of the supervisors. To be a competent critic of the technical ability of seven, eight or nine such varied officers with such varied functions implies an unbelievable amount of acquaintance with county government in its detailed management on the part of the voter.

But we are not through even now with the work which the

county plan requires of the voter. Not only must the voter bring his share of public opinion to bear upon the conduct of each of these seven, eight or nine little county governments, but if one of these little governments quarrels with another little government the voter must take notice of the fact and by intelligent public criticism induce the little government which is in the wrong to yield to the little government which has the right side of the dispute. In other words, the voters of the county must not only stand over each of these seven little governments and make them obey, but must make them agree in their obedience and work harmoniously for the common good. The people of the county constitute the one place where the big lines of direct control are focussed. They are in theory the unifying force and the only one.

The Need for a Strong Executive

Now, to make these seven governments work in unison is a task which would keep a strong chief executive pretty busy sometimes. A committee or board with complete power over these seven little governments would probably not be nimble enough for the task and would end by leaving most of the details to some one person selected by them to give all his time to the task. A group, let us say, of 100 persons meeting under the forms of parliamentary law, would be baffled even more than a small committee, and, in fact, would be compelled to do the work through committees in order to get it done at all. A great mass meeting of 5,000 voters would experience still greater difficulties in trying to handle details. In fact, it could do hardly anything except to create a committee and go home. The people of the county, too numerous to meet in a single hall, scattered, moreover, throughout the county over a considerable distance, having no single common medium of communication, being not even subscribers to the same newspapers, are many times clumsier than the mass meeting. Yet to the most clumsy of all organisms, the electorate, you give the task of unification and harmonizing, which is too much for even a small committee to accomplish except with a suitable instrument in the shape of a single executive.

This thing is ridiculous. The people simply can't do it. Our people are as intelligent as any other, but no people on the face of the earth can do it. We have given the people an unworkable instrument, and it is no reflection on the people to say that they

don't rule and cannot rule under such circumstances. The practical result of the situation is that ninety-nine per cent. of the people give only an offhand intermittent attention to county government, and the remaining one per cent., who get into the heart of the matter, become the real governing force of the county and are given the name of politicians. A politician is simply an expert in citizenship. To make the politicians give way to the people at large the game of politics must be simplified. Politics is the proper business of every citizen. It should not be one of the learned professions. It should not be so complex as to be a profession at all. It is not true that every citizen ought to know what he is doing on Election Day; it is only true that politics should be so simple that every citizen **would** know what he is doing on Election Day. We can't make the citizen take more interest in a complicated and uninteresting thing like county government, but we can make county government so simple that the motive power of popular interest will be sufficient to operate it.

Politics Should Be Made Simple

So, to make a long story short, the modern political scientist demands that politics shall be made primitively simple. It is easier for the people to control one government than nine governments. That is the theory of the "unification of powers." It is easier for the people to control three or four big elective offices than eight or nine little ones. That is the theory of the Short Ballot. The way to keep unfit men out of public office is to refrain from electing them. The way to refrain from electing them is to elect no more officials at one time than the citizens can get a good look at. In a small, rural county where everybody knows every one else, the short ballot is not quite as important as in large cities and states, but the unification of powers is important everywhere. A government in which all parts are properly co-ordinated under the direction of a single controlling brain will be an easier government for the people to control than the loose-jointed, ramshackle of mutually independent powers which we now call county government. Only by uniting and consolidating the powers of the county can we get away from supine, jellyfish disobedience. Present county governments are something like an automobile with a separate motor at every wheel, each going its own gait, pell-mell down the road, with Mr. Voter

in the driver's seat hanging on with a sickly smile while he tries to control a dozen levers with only two hands and feet.

County Needs a Head

Now, if we can keep away from the old fashioned doctrinaire theories which have made so much trouble for this nation in the last hundred years, we should be able to agree that the county, like any other organization, private or public, needs a chief executive with appointive power over all other administrative officials. Not until all the officials have a single common superior on the job all the time, with plenty of authority over them, can they be compelled to work in mutual harmony. Any notion that the arms and legs of the county can make each other work harmoniously by the threat of mandamus proceedings and similar legal resorts to those printed memoranda called laws, is thus discarded. But, of course, we are not going to vest the government of the county in a single despot elected by the people for a fixed term, for that system would have obvious faults of its own, inasmuch as the despot would have personal faults and failings. Neither are we to consider an elective executive held in more or less restraint through the necessity of obtaining the co-operation of a board of supervisors corresponding to the mayor and council of old style city governments. There has been ample experience to show that the attempt to secure a good chief executive by popular election is a failure. It always gives us a transient amateur who never really learns his job, because he is not allowed to stay on the job long enough. It always results in the development, under such a shifty chief executive, of a "System" among the permanent subordinates, a "System" which defies the control of these transient executives and thus defies the control of the people who elected that chief executive.

Example Set by the Short Ballot Cities

The cities have been all through that phase and are abandoning the elective chief executive, or mayor, and moving onward to the type of government in which the chief executive is appointed and held subject to the continuous supervision of the joint mind of a board or commission. Accordingly, let us look forward to a time when counties will be governed by a small board of supervisors, a board small enough so that each member will be a really important officer with power enough in the government to

make it worth while for the people to scrutinize the candidate carefully and watch him after election. A board of three or five or seven will be better than a board of twenty or twenty-five or thirty, because you must have considerable power attached to a public office before it will attract candidates of first-class talent and before it will be conspicuous enough to catch the public eye.

Let this small board of supervisors possess all the powers now vested in all officers of the county, except the county judge. Put upon them the responsibility for all of the work of the county. Permit them to hire their county manager from anywhere in the United States and to pay him whatever salary they believe necessary in order to secure the requisite ability. The county manager will appoint, in turn, and control all other county officials and employees, subject to civil service regulations. The county manager will have no power of his own, no independence of his superior. He is their executive agent. If the new board of supervisors tells him to take money out of the treasury and spend it for peanuts, he must spend it for peanuts or take a chance of losing his job. The supervisors who hire him can also fire him.

What a "County Manager" Would Do

The county manager, naturally, would be expected to relieve the supervisors of all detail, and if they found him trustworthy and devoted to their service they would probably leave him considerable discretion, but they would have to take the responsibility for him if he proved to be foolish or weak or dishonest. This new board of supervisors would have the power to levy taxes and spend them. When it was spending money it would have to remember that it must raise that money and face the public resistance to taxes. On the other hand, in trying to keep down taxes it would have to remember that the people would criticise it if it went too far and starved the county service. It would be continually between two fires; the demand for good service and the resistance to taxes. No matter what goes wrong the supervisors, under this scheme, have power to fix it and can fairly be held responsible if they fail to have it fixed after it has been called to their attention.

Local Nullification of State Laws

In this plan of government one fault inherent in the county would still remain. The supervisors would have two masters,

i. e., the people of the county and the state government, which is continually making laws for them to enforce. The work of the sheriff, district attorney and the county judge is really not county work at all, except geographically. It is really state work. Although elected by the people of the county they are working for the people of the state. We had an interesting instance of that recently when the district attorneys of all the various counties in New York State were up against the proposition of prosecuting the alleged frauds on the state highways, and it was said that they could not be relied on to handle that work because of the expense. There was a case where some of the counties flatly declined to burden themselves with their responsibilities to the state at large, and there was no effective way of making the counties obey those printed memoranda called laws, which I have previously referred to. The local nullification of laws through the failure or hostility of the counties is a common phenomenon in America, and to that is due much of our disrespect for the written law. To that is due much of the careless passing of unpopular laws at Albany, where the Assemblyman cheerfully explains: "Well, it won't be enforced." The Governor by his approval helps to make the law, and it is made his duty to see that the laws are enforced. Yet the judges, district attorneys and sheriffs, who are nominally his agents, are put where they can laugh at him and the Governor is helpless, unless the situation gets so bad that he feels justified in utilizing the rarely used whip which the constitution gives him in the power of removal of such officers. In actual practice, as we know, the Governor rarely exercises any influence on these nominal agents of his, and they go their own sweet way.

In the National Government we see on a vastly larger scale the correct method of handling these functions. The President appoints the judges in all the districts and he appoints the Attorney-General, under whose direction are all the district attorneys and all the federal marshals and federal prisons. That is the obvious, logical plan. New Jersey has part of it in operation, inasmuch as the Governor appoints the judges and district attorneys, and while the sheriffs are elective the Governor has an emergency power to do their work by other methods if he cannot secure co-operation from the sheriff. I cheerfully concede that to give the Governor of New York the right to appoint county judges and to give to an appointive attorney-general the control

of a state-wide department of justice has a strange and novel sound, and the people of this state would have to get used to the sound of the thing before we could hope to organize on these lines. Until that time comes when the state will enforce the laws it makes and pay the bills we must be content with a county commission or board of supervisors which will undertake to serve the two masters with as much justice as it can.

One County Government; Not Several

Give to the people a single county government instead of seven, with a short ballot instead of a long one, with a few conspicuous elective officials instead of a lot of obscure ones—a government that has power to get results and can thus be held responsible if it fails to get results—and you will see the same marvelous revival of public attention that has been seen in every city that has adopted commission governments. You will see the citizens of the county really knowing something about their county government, and you will see them discussing their public servants with intelligence. Then you will get in the county whatever kind of government the people of that county want. I don't say it will be good government. I don't say that it will be better than the present county government, but I think it will be a great deal better, just as the commission governed cities have almost all shown instant and marked improvement. Give a man a good automobile and you cannot guarantee where he will go in it. You can only guarantee that a good automobile will take him wherever he wants to go more surely than a loose-jointed, ramshackle automobile will.

But the most happy result to be obtained by the county manager plan is the wiping out of the rank injustice inherent in the present mechanism, where officials are damned for things they did not do and praised for things which they could not help; where good work goes unnoticed and bad work, too; where officials are blamed for things they could not help because the vital co-operation of some other county officer was lacking. There will be no more sheriffs who deplore the condition of their jails and cannot get money to make them right, and no more boards of supervisors who give the sheriff money enough, but can't make him spend it judiciously. When the lines of responsibility are clear and straight and simple, we will find our county gov-

ernments in a new and brighter atmosphere, lighted up by the healthy scrutiny of the whole people.

Chairman: "Any questions?"

Mr. Smith: "I would like to make a suggestion, perhaps to the Committee on Resolutions. I don't know how many county officers there are here this morning, but my impression is that they evidently feel their return to office does not depend on this meeting. The program is for better county government. I think while we gain information by observation and experience, my observations lead me to believe that conditions such as have been explained in the various papers existed in our counties and towns for a year and a half. I have had experience and I find such is the case. I would like the committee to take into consideration the manner of getting these papers into the hands of various county officials. I think they should be printed in pamphlet form and distributed. In Westchester County the Board of Supervisors passed a resolution authorizing three members of the board, the county comptroller, county attorney and clerk of the board to attend this meeting, showing their interest. They felt, however, that most of it would be in the form of papers which could be read and as much gained from them as listening to them, and so I am requested to see that they get these papers put into their hands, thus getting them by a two-cent stamp rather than paying the expense. I hope this committee may arrange some method by which it will get the proceedings published."

THIRD SESSION

Saturday Afternoon, November 14, 1914

This session was devoted principally to the transaction of business, which included the action on the various resolutions recited in the introduction to this pamphlet. The following address was then delivered:

ADDRESS

Schenectady's City-County Plan

By BENEDICT HATMAKER, Editor, The Schenectady "Union-Star"

Eighty-six out of every 100 people in Schenectady County reside in the city.

Ninety out of every 100 reside in the city and Scotia, a residential village across the river.

On the borders of city and village reside upwards of 4,000 more people, so that within a radius of three miles from our City Hall reside 94 out of every 100.

There are five townships in the county. Three of them border the city, and the interests in these residents are closely allied with the city. Many of these are city people who prefer country homes. Others are workmen who appreciate the advantages of rural life. Others are farmers who sell most of their product at our market place. They grow their produce for us. They get electric light and power from the city and their names are in the local telephone directory.

Therefore, practically these three border towns—Niskayuna, Rotterdam and Glenville—belong to the city, and with the population already named make more than 97 out of each 100 people in the whole county.

If the city should annex these three towns it would still be as densely populated as Duluth and have approximately as many people to each acre as Des Moines, Springfield, Tacoma and Salt Lake City.

Of the two towns outside, Duanesburg and Princetown, the former has a population of 2,211 and the latter 684. Each town had less in 1910 than in 1900, and each had less in 1900 than in 1890. One of our city wards, Mont Pleasant, has twenty-five times the population of Princetown, and no more voice in the government of the county than that town. This is not an intentional fault. It is just a development.

The fact that we maintain a county government for the benefit of about three per cent. of our county population costs us fully \$30,000 in salaries to county officials and probably as much more in duplications of expenses. We are handing county officials at least \$10 for each resident of these two rural towns, which is required by law under the present system, but quite needless.

Our Board of Supervisors has recognized this waste, and some time ago appointed a committee to look into the advisability of governing the county by a commission.

They had not proceeded far when they discovered that paragraph 26 of Article III of the Constitution of the State of New York made a Board of Supervisors in the present form a legal necessity.

The same paragraph, however, has in it these words: "Except in a county wholly included in the city."

The whole paragraph reads as follows:

"Board of supervisors.—26. There shall be in each county, except in a county wholly included in a city, a board of supervisors, to be composed of such members and elected in such manner and for such periods as is or may be provided by law. In a city which includes an entire county, or two or more entire counties, the powers and duties of a board of supervisors may be devolved upon the municipal assembly, common council, board of aldermen or other legislative body of the city."

It is this section in the Constitution of the State of New York that has started the discussion here of the advisability of having the entire county annexed to the city with, of course, tax zones, which would make the matter of taxation wholly equitable. The tax zones would probably be the present city of Schenectady, with such immediate environment as should be included therein, as Zone "A." The village of Scotia with such environment as should be included therein, as Zone "B," and the rest of the county as Zone "C." The taxes in these zones would be essentially the same as they are now, less the pro rata amount which would be actually saved by the consolidation, and more justly equalized than now.

There is a well-directed sentiment here for a commission form of government to supercede the present dual system and a committee is now working on a proposed charter having this as its objective.

Schenectady is the smallest county, geographically, this side of Rockland, and the percentage of urban population is larger than in any other "up-state" county. A few other counties have about three-fourths of their population residing in a central city, namely: Erie, Monroe, Onondaga and Chemung. But none of these are so clearly in need of consolidation. We therefore feel especial gratification that this conference has come here for its initial meeting. We shall derive great profit from its deliberations and from the plans to be set in motion for relief from the present constitutional requirements.

[Adjournment.]

Resolution—Constitutional Amendments

WHEREAS the present basic form of county government, imposed uniformly on all the counties of the State regardless of their great differences, is exceedingly and needlessly complex, disjointed and wasteful; and

WHEREAS this complexity and disunion cannot now be repaired by legislation on account of the requirements of Sections 1 and 2 of Article X of the present State Constitution, that all the principal county offices shall be separately elective and maintained in isolation;

THEREFORE, be it resolved that in the opinion of this Conference the interests of better county government require the removal of the aforesaid obstacles to unification and simplification contained in Sections 1 and 2 of Article X of the Constitution to the end that the Legislature may be free to devise improved forms of county government, suited to urban and rural counties respectively and otherwise adjusted to varying local conditions, any one of which forms any county may adopt by referendum;

AND BE IT FURTHER RESOLVED that a Committee be appointed to press for the adoption of this principle by the Constitutional Convention.

Resolution—State-Wide Permanent Organization

WHEREAS, in the opinion of this Conference, the existing form of Government is not suited to present day conditions and should be radically changed; and

WHEREAS, in order to bring this matter to the attention of the people of the State and secure widespread discussion, some permanent state-wide organization is necessary.

THEREFORE, be it resolved that a committee be appointed to prepare a constitution and by-laws for a permanent organization, to be presented at the next conference, to select the time and place of such conference and to extend invitations thereto throughout the state to those interested in this project, in order that every county may be represented.

As an immediate step to the accomplishment of these objects, the Conference passed a further resolution.

Resolution—Distribution of Papers Read at This Conference

WHEREAS, the various papers read at this Conference contain information of value to those interested in improving conditions of county government.

THEREFORE, be it resolved that the Committee on permanent organization be hereby authorized to have these papers printed and distributed to all county officials and others throughout the state and elsewhere, and that they be also empowered to obtain funds to defray the expenses in connection therewith.

The Conference, in view of the gracious hospitality of its hosts, voted unanimously on the resolution which follows:

Resolution of Thanks

RESOLVED, that this conference gratefully acknowledge the great courtesies extended to it by Union College and its officers, and that the Secretary be instructed to send to the President, Dr. Richmond, a copy of this resolution.

This pamphlet containing the entire proceedings of the Conference is put forward in the hope of interesting many New Yorkers in a sorely neglected field of politics and government. The undersigned would be grateful for evidences of interest on the part of any individuals or organizations throughout the state.

Very truly yours,

WM. M. BALDWIN, Nassau County, N. Y.

A. H. BROWN, East View, N. Y.

H. S. GILBERTSON, 381 Fourth Ave., N. Y. C.

OTHO G. CARTWRIGHT, 15 Court St.,

White Plains, N. Y., Secretary.

PROCEEDINGS

OF THE

Conference for the Study and Reform of County Government

FIRST MEETING, DECEMBER 8, 1913
AT THE CITY CLUB
NEW YORK CITY

THE NEW YORK SHORT BALLOT ORGANIZATION
383 Fourth Avenue, New York City

PROCEEDINGS

OF THE

Conference for the Study and Reform of County Government

FIRST MEETING DECEMBER 8, 1913, AT THE CITY CLUB
NEW YORK CITY

PRESENT STATUS OF COUNTY REFORM

By RICHARD S. CHILDS

County government, in general, is a perfectly dead subject. It is an actual fact that there never has been a book written on it. The nearest thing to it, perhaps, is one by Fairlie, on "Local Government in Counties, Towns and Villages," and it simply is a description of the organization of all the counties. Then there is a volume of the Annals of the American Academy of Political and Social Science on County Government, published a few months ago, containing a long series of papers prepared by people from all over the United States, dealing with the existing methods of county government, and that, after all, is also mostly photographic, and without much attempt in it at anything critical or constructive. There is nobody that I know of who has any theory as to how a county ought to be organized.

The recent reform legislature in California, not knowing any better than we know what it wanted to do with the county, proceeded to throw the whole question open by giving the county the right to draft their own charters. California cities have long had the right to draft and adopt their own charters, subject to a merely formal approval by the State authorities, and so it was quite logical to give the right to the counties to draft county charters, and abandon working under the operation of State laws. Two counties have taken advantage of that law, Los Angeles County and San Bernardino County. We have a little pamphlet which has been out for a year or so, called the "First Short Ballot

County." That is Los Angeles County, and there they reduced the number of elective offices from fifteen down to six, and simplified the county considerably, electing simply a Board of Supervisors and a Sheriff and District Attorney, and I think one or two others, an Auditor, and one or two other officers, a very drastic simplification of the county government, and a shortening of the ballot.

In San Bernardino County they adopted a still simpler charter, vesting all the power in a board of five men elected at large, one at a time, for a five-year term, and those five appoint everybody else in the county government. There is nobody else elected at all except the County Judge. San Bernardino County, by the way, is bigger than New Jersey. It is the biggest county in the United States.

The short ballot movement is the first political reform with a program that seriously involves county government. Other reforms have dealt a good deal with city and State government, and various phases of electoral reform. But we ran smack into the fact that the county was the worst of the long ballot governments we have; that it was very badly organized—organized for inefficiency; and it was up to us to tackle the question of how to reform it. From time to time we have studied the subject, and tried to gather information about it, and tried to find out whether there was anybody that did know anything about county government from our viewpoint, and we came to the conclusion after a while that although we knew nothing, we knew as much as anybody else, and accordingly we have very cheerfully undertaken this Conference for the Study and Reform of County Government.

The Indictment Against the County as a Democratic Institution

James Bryce said that municipal government was America's conspicuous failure. He might have added that the county is America's *inconspicuous* failure. Its failure is all the worse by reason of its obscurity, for the county operates on a smaller scale and with a smaller budget.

It is easy enough to demonstrate that county government is miserably inefficient and corrupt. The most superficial investigation is adequate to disclose myriad ancient abuses. In Broome County a man named Back was recently discovered to have the whole county government in his pocket. Westchester County is

trying to recover \$66,000 illegally collected by its county clerks. The princely income of the sheriff of New York County comes to mind as an instance of inefficiency here. County clerks and registers collect their fees for recording and filing various papers which are neither recorded nor filed, the work being frequently years behind. In one county the supervisors were with great difficulty prevented from spending \$60,000 in advertising for sale land which had been taken for taxes, the total value of which was an insignificant fraction of the advertising appropriation.

It is significant that in the whole United States there cannot be discovered a single county which claims to be model, or to set any standards worth copying. There is not even an orthodox idealism for county government.

All the foregoing has nothing to do with my subject! The object of this conference and of my paper is not to bring about cheaper or more scientific administration in counties, so much as to bring the counties under popular control, with faith to believe that a county organization which is acutely sensitive to public opinion will be more economical and scientific in administration. In other words, we are after democratic government first, and good government second. Possibly there are counties where a majority of the people revel in the corruption of the county and prefer to have it corrupt. If so, we will have attained our object if we leave them to enjoy the result of their low standards. At any rate we must take the risk, for we can devise no scheme of government which will automatically give good government, but we can devise a plan that will automatically and always be democratic government.

Organized for Inefficiency

County government is ideally organized to resist public opinion. It is able to defy control by the people very much as a jelly fish will defy you if you tell it to run along the beach. It resists control by its simple incapacity for effective obedience. The county is an illustration of all the favorite American faults of governmental design raised to the nth power. It exhibits at its worst every one of the fallacies cherished by our grandfathers and the Jacksonian Democrats. For example, it carries the disconnection of powers to its logical extreme and makes each officer independent of the others and a law unto himself except in so far as he may be restrained from excesses by the fear of prosecution by the district attorney or the Governor for transgressing a tangled

hedge of legislation. The board of county supervisors must raise money to pay the bills of numerous officers whose work is laid out by the State and whose conduct they cannot control. The district attorney must work hand in glove with a sheriff who has considerable latitude as to maintaining an entente cordiale with him. The State, after making laws, must leave them to the tender mercies of insubordinate agents who are free to exercise a pocket veto by silent non-enforcement if they do not like the laws or think that enforcement will be unpopular in their neighborhood. The clerk who serves the judges may embarrass and annoy his superiors by lax service and yet feel secure in his office. The district attorney may let his cases drag while he goes fishing and the supervisors must helplessly pay the bills for the waiting prisoners in the jail till he finds it convenient to come back.

There is nothing in the county to enforce harmony and co-operation between its various officers except a chaotic mass of printed memoranda, called laws, passed and amended decades ago and quite too numerous to be read.

Not until all this is changed can reforms of administrative method be installed with hope that they will endure. Imagine administrative reform introduced without a basic reconstruction. Let us suppose that the State Comptroller in the course of his excellent work in administering the uniform accounting law, establishes the fact that the County Register of Broome County does twice as much work for a dollar as the Register of Putnam County? Will one register forthwith get great credit and the other discredit with his constituents? Will the people attend mass meetings about it? Will the discovery even be considered an item of importance in the local news of the day? Alas, no. The register is a little obscure officer located somewhere down on the tail of the ticket. If the printer of the ballots should forget him, few voters if left to themselves would notice the error. The good Register of Broome County would fail of renomination because it is the turn of another township to have an office and anyway somebody is needed on the ticket who is strong with the Knights of St. Christopher. The costly Register of Putnam would get his renomination because his good hard work for the party gives him a right to repayment out of the county treasury and he never has had a really good office as yet. And both officials, their merits and their crimes, would be lost in the shuffle

at election because the Sheriff is claiming that he saved money and the County Clerk is explaining his reforms and the Supervisors are telling how honest they've been and the Coroner wants people to listen to him—with the net result that the people listen to none of them and they stop talking and 95 per cent. of the people never think about the unit cost of the Register's work and wouldn't have much faith in the yarn if they did! So on election day the straight Republican ticket is elected by a big vote, meaning that some group of politicians have been installed upon the thrones of the county's invisible government. And how can you build enduring, administrative reform on that?

Let me repeat: All this state of affairs is a grievance, not merely because it results in antiquated or clumsy administrative methods, inefficiency and corruption, but because it baffles all attempts at control by the people.

An Ambush for Petty Politicians

Consequently the county is the safe ambush of the petty politician; his everlasting and undisturbed base of supplies. Masking this covert is a venal county press, depending for its existence on political advertising. Reform movements may come and go in cities and in States, but the fat county jobs go to the politician right along. From this citadel, bossism issues to said city and State governments. The construction work of this conference must, in my opinion, endeavor to create in our counties, a form of government which will be as responsive to public opinion as are the governments of those cities which will be as responsive to public opinion as are the governments of those cities which have adopted the commission form of government. To this end we must secure some of the merits of the commission form of government, the two most vital of which are the Short Ballot and the "unification of powers."

The former needs no defense here.

The "unification of powers" means that all the powers of the county must be made subject to a single controlling head—not necessarily or preferably a single man, but a single group of men who work as a group. We must take the arms and legs of the county which now are kicking around independently and attach them to the trunk and connect them by an appropriate nervous system to a single responsible brain. Then, and not till then, will we have a county government that can be trained and disciplined and made an orderly, obedient public servant.

WHAT WE HAVE UNEARTHED IN WESTCHESTER

By MR. ORTHO G. CARTWRIGHT,
of the Westchester County Research Bureau

The spirit of our organization has been not to prefer charges, not to do detective work, or district attorney work or grand jury work, but to investigate with the specific purpose of locating waste and extravagance and mismanagement, and to make report first to the head of the proper department. If this official would not act we would proceed further in the matter with whatever steps might be necessary to remedy the faults revealed. Our spirit was that of co-operation.

We recognized three channels of betterment: First, by official action within the law, by representing to a man who was responsible, where he might improve, having first found out for ourselves. In many cases, our suggestions, as we made them, were adopted, and we did not have to go any further.

Secondly, if improvement were found to be impossible with laws as they existed, the next thing was statutory changes within the constitution. This was a little more difficult, but we secured some important reforms of this nature.

Beyond that, of course, we could not go without change in the fundamental law, the Constitution, which is a very difficult matter, and not to be undertaken without very mature consideration and being very certain of the fact that the changes suggested, in all their ramifications, would not work injury.

I am somewhat surprised, when I think of the conditions, that we have any good administration at all. I think it is a remarkable credit to Yankee ingenuity and to Yankee native ability that we do get any good government; because we elect men to office without their having any previous preparation at all. They go from any walk of life, just because they are good fellows, or popular men, or have strong influence, or else are good party "heelers." As you all know, it takes them their whole term of office to learn their work. When they get a fairly good knowledge of how the thing ought to be done, out they go and somebody else comes along to be taught the whole thing over again. Public offices appear to be continuous training schools in which the subordinates train the principals, and for no other purpose than to graduate them into some other field of action, where their training will be of no use to them.

Now, most of us go into office with no previous preparation, but sustained by the confidence and the hope that we can travel just the same way as the fellow before us did. Instead of learning the law, and inquiring just how an office ought to be conducted, the majority say, "How did John Doe, and Richard Roe, do this before me? What did he do in a case of this kind?" They ask the deputies who have been there through several administrations under civil service, and who have conducted the office and told their previous chiefs how to do it, and they manage to get through. They go through on that sort of a bluff; so I say it is a great tribute to American character that we have any kind of good government under those circumstances.

We found the following conditions generally prevalent in Westchester County:

The County Situation Summarized

① Complex and confusing masses of legislation affecting the different communities in varying degrees.

Inadequate, unsatisfactory, and wasteful taxation systems. We found 212 paid tax officials performing the work of ten. Ten expert men for salaries of from five thousand down to fifteen hundred a year would have performed that work much more efficiently and gotten the taxes collected with a very much smaller residuum of arrears to be collected by sale than these 212, who didn't know very much about it except how the other fellow had done it before them.

Inadequate and antiquated systems of accounting for public funds.

Violations, evasions, misrepresentations, and neglect of the laws, by public officials—many of such irregularities unintentional, because the men did not know they were violating the law.

Unnecessary sickness and needless deaths from preventable disease, due to inadequate sanitary inspection and control.

Waste and extravagance in many administrative departments.

Capable officials compelled to depart from or very freely interpret the law, or even to obtain special legislation to enable them to achieve efficient and economical service. I think there are over a thousand special laws that have been passed for Westchester County.

Our Method of Approach.

In undertaking to present the situation to the public we constructed a chart outlining the general organization of the county offices like the one graphically presented on the table before us, before we tackled any special problem. Then we made a graphic chart of each department and its ramifications, and its employees, and an analytical digest of the laws governing that department, and we had those printed and hung around the walls of our office. A good many people came in there to get an idea of what the county government was.

Some of the officials in the county came over to learn things about the county that they were governing. They had not taken the trouble to work it out for themselves.

Then we began to check up actual administration, actual conduct of office with the statutory prescriptions. In that process of comparing one with the other, we found the widest divergence. We found the most wretched condition of public records. If any of you ever have occasion to investigate a township office, to get at records as remote, as far back into the buried past as two years or three years, you have joy awaiting you.

Ten miles north of New York line, and you will find county offices. Twenty miles north you will find the most bucolic conditions of country offices, where the town official who has charge of the records, the town clerk, will have them stowed in boxes under his bed, and in barrels, and some in bundles on the shelf over the woodpile in the woodshed. Some of them aren't there at all.

In one town up in the northeastern part, the clerk had a gap of six years in his record where he could not find a single thing, not a note regarding the collection of taxes, and the cost of collection. One town clerk I found conducted a general country store. I asked him for the records, and he wanted to know if he had to show them. I said, "Yes, they are public records." He said, "If I have to, I will go with you," and he put somebody else in charge of his store, and we went over to his house. He explained on the way that there might be some missing. I asked why, and he said, "Judge So-and-So," meaning a Justice of the Peace, "and I got together on this matter when I came into office. I had to take a democrat wagon and bring four barrels of papers from the office of my predecessor, and I said to the Judge, 'What's the use of keeping all this old paper to be carted around from

one office to another?" He said, 'I don't see any use for it,' and so we burned it up." (Laughter.)

Some of those records were of events before the Revolutionary War, but he didn't see any use of keeping them. I asked him if he knew the felonious nature of destroying public records. He gasped, and could not answer. He is not now alive, so I am not afraid of bringing any action against him for felonious conduct. He is only one example of the condition in which you find many public records which you want to use in investigations of accounting, of financial transactions, of the cost of administration and other matter of public interest.

We made a study of the tax collection. We found that these 212 officials, and the assessors of the 19 townships, in making the assessment and collection of the general tax cost the county at least a hundred and fifty thousand dollars a year. As it could have been all carried on for not a penny over fifty thousand dollars a year, we said, "There is a waste of one hundred thousand dollars easily," and we proposed a law that would remedy that. After much debate the Board of Supervisors appointed a committee to draft a tax law. They appropriated a thousand dollars. They paid an attorney. They paid the expenses of the committee. They drew a bill which embodied some of the principles we had recommended. It was an improvement. It did not provide for sending out tax bills. It did not provide for centralization of collections, as we had recommended, nor for the concentration of the levy. "One bill, one levy, one tax," has been the motto of the State Tax Reform Association and of our Bureau for the last three years, and the Legislature has taken action several times towards the realization of this principle. But this bill did not embody it.

I would like to go into the details of some of the paradoxes of the tax law, but I haven't time except perhaps for just one. For instance, observe the compensation paid the collector of taxes. He receives one per cent. under the State law for all taxes that he collects in the first thirty days. This low percentage was intended to be an incentive to the taxpayer to pay his taxes before the end of the first thirty days. At the end of that time, five per cent. is added, and that goes to the collector. You see, the mistake was in giving that to the collector. On all taxes that he reports as unpaid he gets two per cent. So that if he

waits 30 days and then collects it all, he gets five times as much as if he collected it all in thirty days.

If he does not collect anything but returns it all unpaid, he gets twice as much as if he collects it all promptly. He had better not collect anything than collect it all in the first thirty days, as far as he is concerned. There are in the county three towns that send out the tax bills. They do it as soon as the tax levy is made. They prepare the bill in advance, and all they have to do is to put in the amount and mail the bill. Those towns collect very much more closely, ninety-five per cent., ninety-six per cent. and ninety-seven per cent. Ninety-seven per cent. is collected by a town that has a salaried collector in the office all the year around, during business hours. That town collects its taxes more closely and with less expense than any other town in the county.

That town is Rye. That tax law went to the Legislature, it was passed by both houses, came before Governor Sulzer, and we thought he was going to sign it. But he was about to appoint a new Tax Commission to revise the whole State Tax Law, and recodify it. He said in substance: "Let us turn this over to the Tax Commission, and not put in operation a special bill for one county, when there may be things in it which the Commission will work out for the whole State." So he vetoed it. That is where it stands. That Tax Commission has been appointed, and is supposed to be at work.

Budgets

One of the things that was the worst in the county was the budget provision. We found that they appropriated lump sums for departmental work, and some lumps that were not for department work, mass appropriations; no analysis, no specific allocation of budget division, of particular function, or line of endeavor. For instance, for the Board of Supervisors, they did not make any appropriation except for the salaries of the supervisors and the salaries of the clerks. For the County Treasurer, the appropriation would be \$18,500; for the county clerk, a mass item; no appropriation whatever for elections; and so on.

We studied that budget, and reported how budgets should be made and analyzed. We compared the budgets for five years, and published a little pamphlet with an analytical statement and graphic chart of the budgets for five years. Part of the chart was light and part of it dark. The light section represented ana-

lytical appropriations, and the dark ones mass appropriations without specification or division. When the Treasurer's report came in, that was a long list of warrants. You could, by analyzing that, get some idea of how the money had been distributed, but that was the end of the year. The budget was the beginning of the year, to know what your money was to be spent for. Now, the percentage of dark appropriations increases like this:

In 1907, 65 per cent. dark, and in 1908, 67 per cent. dark; in 1909, 70 per cent. dark, and in 1911, 73 per cent. dark. So we said, "The budget is somewhat over two-thirds dark and growing darker!"

We followed that with a pamphlet showing how a budget should be made, and illustrating the differences between the cost reported by the Treasurer, the budget appropriation, and the actual cost. I will read you one or two items.

Board of Supervisors: Budget appropriation, \$25,000; Expenditures shown by the Treasurer's report, \$32,000; Actual expenditures shown by the investigator who analyzed the cost, \$65,000.

Elections: Budget appropriations, nothing; Treasurer's report, nothing; Actual expenditures, \$69,000.

Superintendent of the Poor: Budget, \$17,000; The Treasurer's report, \$108,000; Actual cost, \$118,000.

All the various county departments were thus compared. To make that a little clearer, we put it into the form of a graphic chart. Then we called attention to the Comptroller's plan for a budget. The State Comptroller in 1910 provided a plan for analytical budget appropriation. It might go a great deal further, and they have now carried it further in Westchester. We also showed budget plans in use by other States, Indiana, for instance. In Indiana for the item of election expenses, there are sixteen items. Westchester County used in four items. Court expenses, in Indiana, the county analyzes into 12 items. Here in the Westchester County Budget: Court expenses, \$145,000. However, they have adopted a classified budget now, going much further than the Comptroller's plan, with restrictions to prevent transfers from one fund to another except by specific authorization of such transfers, and they have put in a system of accounting that corresponds with the budget, so that you may tell at any time, or an auditing committee may tell at any time, just what appropriation they have to audit from, what their balance is, what the encum-

brances are against it, and what unencumbered balance remains for them to use.

Audit Oddities

You know, bills are audited up there by a committee system. There is a committee of the supervisors, for instance, on printing; another one on the Treasurer; another one on the Superintendent of the Poor, and so on, and each committee has assigned to it the bills for its particular department or function. It goes over them, O. K.'s them, makes out a list, and sends them to the Board to be audited by vote of the Board. A motion is made, not always actually made, but the formality is gone through with, the Chairman stands up when nobody pays any attention to what is read, and says in substance that Mr. So-and-So, naming the floor leader of the party in power, moves that these be adopted, that they be ordered paid, and then the roll is called, and a few answer, and those who do not answer "No" are considered as voting "Yes," unless the absentees are called for; and then the roll having been counted that way, the announcement is made that the bills are authorized. Then a vote is cast in the same way that warrants be drawn to pay them. Of course you will say that is custom, and it is taken for granted that if a man does not vote against it, he has no objection, but the question has been raised that if an audit of that kind were examined into by the courts, it could be overthrown, because the Board did not vote for it, and the announcement made in meeting that they had voted for it would not be true.

A special act was passed in 1905 which authorized the printing of Westchester County accounts and town accounts, the election canvass, lists of nominations, and things of that kind, that cost the county varying sums of from twenty-five thousand dollars to over twenty thousand dollars a year. It was perfectly useless. We wrote to the Comptroller, the first thing when we went up there, asking him to make an investigation of that. He did so, and reprimanded the Board of Supervisors severely for the extravagance. They appointed a committee to go around the State on an investigation trip, and they came back and reported that they were not over-extravagant. They prepared a bill repealing those laws, and it was not passed. Then we kept at them until they put another bill forward, and we investigated the subject further, and made reports to Senator Wainwright and others. Finally, when the Democrats got into power in the State, the two parties

got together and passed the repeal bill, so that act is off the statutes. That is one of the things we have done. Since then I have not heard a single demand for the "information" thus "cut off" from the public, altogether the local press was almost unanimous in bewailing this great public deprivation.

Well, that is the kind of work that we have been doing there, and we have been all the time studying county government for a simplification of it, and, together with the Short Ballot Organization, to whom belongs the great credit of the movement, there is a bill now prepared and going to be circulated for criticism among the people of the State, simplifying county government.

Mr. Hinckley, of the Westchester County Research Bureau

Gentlemen: We found among other things the most extravagant prices being paid for materials of various descriptions, office supplies, little things as a rule, but which mounted up in the aggregate to quite considerable sums. We found excessive profits of several hundred per cent. frequently, and we found also the most defective bills imaginable in the files; uncertified bills, unitemized bills, and bills that you could not read.

A Member: All paid?

Mr. Hinckley: Oh, yes, all paid. We found that although the county was paying over three hundred thousand dollars a year for salaries, there was only one county department which had anything like a pay-roll, and that was the Sheriff's department. The men simply go in and get their money. The Treasurer knows them, and they sign a little receipt for the money, and he makes his record. There is no such thing as a certificate of work done, a certificate of a man's being on a job, and having rendered the service which the money is supposed to compensate him for.

We found also that some of these raw and pungent bills were audited occasionally by acclamation. That is, a gentleman in the County Board, who was one of the Audit Committee, happening, perhaps on purpose, to arrive a little late, would have a bunch of bills, and in the meeting, not having submitted them previously to the committee for audit, he would modestly suggest to the Chair that these bills be declared audited by acclamation, and it was always audited as he suggested.

The later work has been simplified giving publicity to these matters, which Mr. Cartwright very patiently and carefully dug out. We simply took what Mr. Cartwright had done largely, and

circulated it before the public, so as to make the public understand that we meant business, and the results of the little election which was held up there last fall seemed to indicate that this program is making progress. It is getting adherents from all the political parties in Westchester County, and it will be very strange if within the next year or two a very marked improvement in the administration processes in the county government does not take place.

A PLAN FOR CITY AND COUNTY CONSOLIDATION IN GREATER NEW YORK

ROBERT S. BINKERD,

Secretary The City Club of New York City

My initial introduction into political activity affected an up-State county, Erie County, and it was more the malfeasance of the Supervisors than anything else that led the citizens of Erie County to get busy and form a Municipal Voters' League in Buffalo.

Now, this was the organization, and to-day with one exception is the organization of Erie County: A Sheriff, District Attorney, County Judge, Surrogate, fifty Supervisors, County Treasurer, County Auditor, Superintendent of the Poor, Keeper of the Almshouse, all locally elected.

The things which the Board of Supervisors had done to arouse the ire of the citizens of Erie County were these: The State had made an appropriation of half the amount of money required to construct an armory in the Western part of the State. The other half of the money was to be provided by Erie County.

To begin with, the Board of Supervisors selected a graveyard as the site for the new armory. They paid for the graveyard three times its value. They then made a contract with the contractor to remove the bodies from the graveyard. They provided in that contract that any major bone of the human body should be considered to be equivalent to a human body, and that the contractor should be paid upon that basis. The result was when they got through removing human bodies, they removed about seven times as many as there had been physical capacity for in the entire graveyard. Then they made a contract with an architect to draw the specifications for the armory. They paid him three per cent. of the armory cost. I believe it was to cost

half a million, and it was to be five per cent. if it cost seven hundred and fifty thousand, and seven per cent. if it cost a million. I leave it to you whether it cost a million dollars or not.

Then they jockeyed through a series of bids. Of course, they separated the entire construction. The excavation was different from the foundation. The foundation was different from the steel work. The steel work was different from the brick work. They chose their own bidders, and they saw that they got the contracts. After the shell of the building was constructed, and they had acquired a special appropriation by the State as well as about twice as much money as the county had originally expected to spend, they found they had far from completed it, and they proposed, among other things, to put in a large and very expensive swimming pool for the unfortunate members of the National Guard. They found that the ordinary type of steel locker, a thousand of which could have been provided for about \$35,000, was entirely inadequate for the honor of the institution and the occasion, and they proposed to let a contract with the Jamestown Art Metal Company for about \$145,000 worth of steel lockers, and they had a series of other extravagances, which finally led to an investigation by a committee of the Legislature, of which Mr. Wainwright of Westchester was Chairman.

Now, when I got there I found just the system which Mr. Cartwright described. There was no county budget. There was no county administrative head. All bills against the county were audited by committees of the Board. A reputable produce dealer told me that the only way in which he could furnish supplies to the Almshouse was by adding ten cents per peck to the price of his potatoes, and on all other foodstuffs in like proportion, so that practically every auditing committee of that Board was grafting off the supplies furnished to any county institution.

Now, an analysis of the county will show you it is not a difficult institution. It is the one institution of government in which almost no great question of public policy arises. It is primarily a question of management. Its functions, so far, have roughly been these: The provision of adequate roads, the conduct of charitable institutions, and the penal institutions, which can more economically and properly be conducted over the unit of a county than over the unit of any particular village or city or series of them contained within a county. The public health functions of a county have so far been nil, although there is prob-

ably adequate reason for the introduction of functions in that direction. Education has always been held without the power of the county government, and educational policy has never entered into it. So, therefore, I suggest from my own experience, that the fundamental difficulty with the average county of New York State is that it has no administrative head, and that the first step towards correcting that difficulty is to give them an administrative head, and that the second difficulty is with having no important policies to decide, it is absurd to elect fifty Supervisors in Erie County, and varying numbers in other counties, at salaries of five hundred dollars a year, to settle these momentous questions. Usually, the most momentous is: Shall we enact a wide-tire ordinance against the farmers who are using the roads, which of course the country members vote against invariably, and the city members vote for, and as most of the Boards of Supervisors are so constituted that they are about equal in number, it stands off, and the vote on that ordinance results in a tie on that, and this settles for a year their most important question of policy.

The second thing is that the number of persons called upon to direct county affairs is infinitely too large, and therefore the abolition of the Supervisor idea and the creation of the Commissioner idea, three or five or some small number, is obviously a step in the right direction.

The third difficulty with the rural county is that the assessment of property for taxation is considered a local matter within the Supervisor's district and that results in these two things: First, all the country districts try to keep the assessments down as much as possible, so as to throw upon the city, located within the boundaries of the county, the chief burden of taxation; and the city having more effective methods of collecting taxes will not only be disproportionately taxed in the first place, but it will collect by far the larger part of the available county revenue, and it will pay from year to year in added tax levies necessary to make up deficiencies on former tax levies, a still increasing proportion of county taxation.

Then, in the second place, within the various towns themselves, each Supervisor tries to keep the tax burden down, not by the honest and efficient administration of county affairs, but by

undervaluing property located in his district as against property located in all other country districts.

Those three things I think constitute roughly an analysis of the defects of county government as they now exist throughout the State, and the remedy for that is simply this. The ideal remedy in my mind is a small commission appointing a county manager—just about the last word that one could offer on an organization which could do county business most efficiently and with a minimum of necessary cost.

Now, with reference to the counties in New York City, they are somewhat like the Board of Aldermen, a vermiform appendix. Our proposal with regard to them is very simple. We propose now to confer upon the cities of this State the power to make their own charters. In connection with that amendment to the Constitution, we propose in New York to provide that county government may be consolidated or abolished, saving from those provisions the solution of the question of the local courts, and of the enforcement of law by the district attorneys.

By holding it open in some such way, we can have a consolidated City Court underneath the Supreme Court, and making it also possible to have perhaps a district attorney of the entire city, instead of five separate and disconnected district attorneys. Outside of that, my own plan, when we get that power is to make the Police Commissioner the Sheriff of the City and County of New York, to give to the Appellate Division of the Supreme Court of the City control over the Commissioner of Jurors and the recording of judicial and real property records; and so far as the other administrative officers are concerned, so far as are necessary, to give their appointment into the hands of the Mayor, and to place all county budgets under the control of the Board of Estimate, like all our city departments.

The exact amendment to the constitutional amendment of the Constitutional Government Association has not been drafted by us as yet, but it is very simple, and so far as I see it now, could be expressed in a very few words.

A PROPOSED BILL* FOR SIMPLIFIED FORM OF COUNTY GOVERNMENT

By H. S. GILBERTSON

This proposed bill carries out the idea Mr. Binkert just mentioned; that of reducing the Board of Supervisors to watchable proportions and placing the executive control in the hands of a county manager.

Now, in going over the situation, it seemed to us there were portions of the State which were far more advanced in a civic way than others, and it would be very impolitic, and unwise in other ways, to try to draft a bill which would be a mandatory amendment to the present county law. And so the first feature of this bill is this optional character. It is to be an amendment to the county law, and it may be adopted in any county in about the same manner as the article which provides for a county comptroller, by a petition of one per cent. of the voters and a majority vote at any general election.

In working this out we found there was a slight question of the constitutionality, but I think we have overcome that. The Board of Supervisors in this State universally, excepting for the counties in New York City, consists of the chief executives of the towns within the county, the Supervisors. The Constitution, although it mentions the Board of Supervisors, and thereby makes it a constitutional board, also stipulates that the Legislature shall determine the composition and the manner of election of Boards of Supervisors. And so, we retained the name "Board of Supervisors," but provided for a set of new officers, five to be elected at large in the county, to be known as "County Supervisors," who would succeed to the powers of the present Board of Supervisors.

The qualifications of the members of this Board would be about as they are at the present time, and we have provided for their removal in the same manner as for the removal of the sheriff, that is, by the Governor, after a statement of the reasons for removal being submitted, and an opportunity to be heard on the charges.

The powers of the reconstituted Board of Supervisors would be practically the same as those of the present Board, but with some exceptions, which I will come to later on.

*See text p. 20 et seq.

This proposed law will pave the way toward the application of the Short Ballot principle, though, so far as I have described it, it suggests a lengthening of the ballot, that is, by the adding of five new officers. But I should add that they are to be elected in rotation, in order to give a continuing Board, and reduce the number elected at any one time to a minimum.

This Board will have the power, either directly or through the County Manager, to select all of the other statutory officers. As you doubtless know, there are several such officers at the present time, including the County Attorney, the Treasurer, the County Superintendent of the Poor and the Coroners.

The elective officers, under the Constitution, are the District Attorney, the Sheriff, the Register (where there is a Register), and the County Clerk. If we ever get an amendment to the Constitution which will eliminate the necessity for the election of these other officers, we will be able to incorporate provision for their appointment in this section of the law without very much difficulty.

Then comes the central feature of the bill.

The County Manager

As has been pointed out, I think, by every speaker this evening, one of the chief difficulties with the counties, not only in this State, but everywhere else, is the absolute lack of anything resembling an administrative head.

There has been worked out in the cities of Ohio, and half a dozen cities scattered elsewhere, a plan of government which you have doubtless heard of, the City Manager plan. It is still in the experimental stage, but we believe it incorporates a thoroughly scientific system of city government. We propose to apply that system to counties, that is, by making the County Board of Supervisors (this reduced Board of three members) responsible for the policies of the county, and requiring them to place the details of county management on the shoulders of a manager, who, presumably, will be more or less of an expert in county management, or if he is not at the beginning an expert, he will be given a sufficient tenure so that he will be able to acquire expertness in county affairs.

It is proposed that this officer be given a very substantial salary, as much, if not larger, than that of any other county of-

ficer, at least sufficiently large to attract the necessary talent to have the work done in the proper way.

He is not to be like the Mr. Back, who was mentioned this evening, an irresponsible employee of the Board, but he is to be a recognized officer; he is required to take the Constitution oath, and to furnish sureties. He is given an indefinite tenure, and may be removed at the pleasure of the Board, but is entitled to a written statement of the reasons for removal.

He need not be drawn, and preferably should not be drawn, from the immediate county, but should be taken from anywhere in the county, wherever the man most fitted for the office may be found.

The one officer whom we have not included in the appointive list is the County Comptroller. In the first draft of this bill the County Comptroller—and there are only four or five such officers in this State—is made an appointive officer, but on considering this point it seemed best to leave this officer (rather an important one) on the elective list.

Now, of course, the actual working of this act will depend very largely upon the type of men who are elected to the Board of Supervisors, and the personality of the County Manager; that is, within certain limits. These, therefore, are his duties, which are subject to further definition by the Board of Supervisors.

(See § 247, page 27.)

In the exercise of the foregoing duties, the County Manager is to have the same powers to examine witnesses, to take testimony under oath, and to investigate the affairs of every county officer, which is conferred by this chapter of the County law upon Boards of Supervisors and committees thereof. That power is somewhat extensive.

Now, in order to insure that the Board of Supervisors will not let things run at loose ends, but will have an incentive to introduce scientific methods into their administration, we have added another section entitled, "The Administrative Code."

(See § 248, pp. 27-28.)

The next section deals with the present laws, and what exceptions are made.

One more section is important, and I hope we shall have an opportunity to take it up later in greater detail, in a later meeting, and that is the office of Coroner.

(See § 251.)

†[The Coroner is undertaking, under modern conditions, to do a job for which he is absolutely unfit. His functions consist on the one hand of very technical legal duties, and on the other, of very technical medical duties, and the average Coroner, or perhaps ninety-nine per cent. of the Coroners, are not capable of conducting any technical affairs of any kind.

On the other hand, the administration of the functions of the Coroner is a very vital part of the administration of criminal justice, and so I dare say we will some time propose to abolish the Coroner, and to establish in his place, the office of Medical Examiner, on the lines of the Massachusetts law, and turn over the present legal functions of the Coroner, that is, the holding of inquests, to some judicial officer, either the County Judge, or perhaps the Justice of the Peace, or, in New York City, one of the City Magistrates. As a preliminary step this bill provides for the appointment of the Coroners by the District Attorney.]

Constitutional Amendment*

I spoke of the obstacles in the way of making certain officers elective. This difficult we propose to remedy by a very simple constitutional amendment. It provides that the District Attorney, Sheriff, County Clerk and Register may be either elective or appointive. We believe that is the scientific way of amending the Constitution, as regards the counties. That is, making them entirely a legislative concern, and the amendment, I think, is a very flexible one, which permits the adoption of the optional forms of county law, which may be adopted by a referendum.

Discussion on Proposed Bill

Mr. Arndt: One thing that I think we will find in the way of putting through a plan of this sort, not necessarily in the way of its operation after it is on the statute books, or written into the Constitution, is the fact that there are two influences in almost every county that play a very important part. One is the geographical proposition, that you do not have to deal with in practically all municipalities, and the other is the friction between the towns and the country districts, which is always in evidence. Those are the things that keep the County Boards of Supervisors wrangling all over the State all the time.

†The sections relating to the Coroner were omitted in the second draft of the bill, text of which appears herewith (pp. 25-28).

*See p. 22.

The different parts of the county, a great many of them stretching over a very big area of land, and the interests of the different parts of the county are quite different, and you will find the Northern towns fighting the Southern towns, and the towns along the lake fighting the towns along the canal, or something of that sort, and then there will be the other thing, the small towns—take Monroe County, for instance, the towns outside of Rochester are continually haggling because they think that the city members are exerting too great an influence in the County Board of Supervisors. That difficulty exists to-day, and while undoubtedly a plan for a County Commission or a small group of men would go very far towards the elimination of all that, still the existing evil results in a good deal of jealousy, and I am afraid it will need a pretty thorough campaign of education to overcome that. I think that thing has to be faced. I believe eventually the same principle of greater home rule, greater power in the county to control its own affairs, that we are fighting for now in the cities of the State, is necessary. Of course, you do not want to give any more power to the present Board of Supervisors, the way they are constituted at present, but it would be very advisable to make it unnecessary to go to the Legislature, as we have to now, for amendments to the County law continually, and for authority to build culverts over little streams here and there all over the State, and things of that sort.

Mr. Terry: Mr. Arndt, was that difficulty you found due to the politicians, and to the artificial feeling that they are very capable of instigating, or was it due to the natural feeling of the people themselves? In other words, was it a condition that this program of having this new form of County Board, would tend to cure?

Mr. Arndt: I think it would undoubtedly cure it.

I think it is decidedly to the advantage of the politicians to keep that policy alive. It makes trading possible, and a base for trading is one of the most important considerations for any partisan political manipulation, of course. I think politics exaggerates that feeling, but there is a certain amount of feeling, I think you will find, in certain counties. The canal counties, for example, the towns that run along the canals, are always fighting with the towns that are back; it is over the highways and various things of that sort; the towns lying back from the canals want the highways up and down perfected, they do not care a rap

whether the highways east and west are in good order or not, and little things like that are continually cropping up.

Mr. Cartwright: I think you would probably have to provide that Rochester should not elect all three or all five of the Commissioners from within the City limits; that some of them should be given to the outside territory.

Mr. Hinckley: That remark of Mr. Cartwright's calls up another question. Would it be well to grade or classify your counties into first, second or third class counties? We have the urban county and the semi-urban county, and the absolutely rural county. Now, conditions are extremely different in those three types of counties, and while the general plan may be applicable, I think, for the different classes of counties, it might be well to make some limitation at least in the administrative code, or something of that sort.

Mr. Childs: It seems to me that the election of a small number of Supervisors at large, they to choose a County Manager, who in turn appoints everybody else, is a skeleton outline that is so flexible that it will fit almost anything. It fits all shapes and kinds of corporations, for example, private corporations. Do you see any difficulty about that ground plan, in its applicability to different types of counties?

Mr. Hinckley: I think with a rural county, you should centralize the Health Department in a County Board, and you ought to provide for it. You ought to provide a health officer. The town health boards are notoriously inefficient.

Confusion of Functions

Mr. Shaffer: Isn't this the trouble we are getting up against here? As I have been looking at this diagram here, it seems to me that the main difficulty has been, with our counties, that we have not kept separate and distinct the various functions. Now, in looking at that diagram, it has occurred to me there are three functions in a county which might briefly be classed under the three heads of civil administration, criminal administration, and public good administration. Now, the complication with the Sheriff's office is that the Sheriff has a certain amount of criminal jurisdiction; and he has a certain amount of civil jurisdiction. I cannot see why all the criminal jurisdiction of the Sheriff should not properly be grouped under the head of the District Attorney, and why that civil jurisdiction should not be given somewhere

else, just the same as the civil jurisdiction of your county court, or the civil jurisdiction of the Surrogate's court. Questions not embracing anything of a criminal nature should be entirely removed from the jurisdiction of the Sheriff's office, and put in another office, and then when you come to the question of public good, like questions of vital statistics, the question of public health, or the question of taxation, or the question of the improvement of the county, why those should not be grouped under another head. Then aren't we going to get up against this proposition with this particular law, for instance, that provides for the appointment of the County Clerk? And it seems to me that, in our counties, there are a large number of functions that are thrown on the Town Clerk that could just as well be thrown on your Register of Deeds or your County Clerks. Take the question of chattel mortgages. There is no more reason why a chattel mortgage should be recorded in the town office, and a deed recorded in the County Clerk's office—why shouldn't there be some general centralization, and if you put this scheme through without considering all these particular laws, aren't you going to have your Board of Supervisors up against a large number of expenses, which they cannot control by reason of the present existence of legislation with regard to the various town offices?

H. S. Gilbertson: We have to limit ourselves at present to the question of the general forms of management. Our local government in this State is based on the township plan. There are plenty of States—in fact, I suppose the majority of them, with counties based on the Commissioner type. That is, especially the Southern States, where the county is everything, but when we get over into those things, we have really a bigger problem than we can handle, but it does not seem to me that the bill, as far as it goes, would interfere with the development of other reforms which would place upon the county larger functions. In fact, I should say that a good structure would have to precede the imposition of larger functions. After the description we have had of the Supervisors this evening you would not want to put anything more on them; not until you get a more workable form of organization.

Mr. Shaffer: Don't you want to take a lot of questions that are really now questions that are mandatory, don't you want to put them in the discretionary class? It seems to me there are a lot of functions thrown on the town or county which are manda-

tory, and if we should put them in the discretionary class, it would be a great advantage.

H. S. Gilbertson: These questions have to do with the administration of State laws, and I suppose the State will always have to maintain a very large measure of control over them.

Mr. Childs: At the present time, as I pointed out in my paper, we have the State doing work by agents over whom it has no control. It is a very illogical situation, and all this bill here has attempted to do is to take the county as it is, a waste-basket full of functions, some from the towns, and some from the State, and provide the best way of administering them that is possible under the circumstances.

The Chairman: It seems to me it might be wise to postpone the discussion of the details of this specific measure. It is presented here to-night really for the purpose of reading it into the record, and perhaps it might be wise to postpone the discussion of the detail until the next meeting, when this will be before us in printed form.

Text of Providing an optional form of county government for counties not wholly included in a city.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter sixteen of the laws of nineteen hundred and nine, entitled "An act in relation to counties, constituting chapter eleven of the consolidated laws," is hereby amended by adding after article fourteen-a a new article, to be article fourteen-b, to read as follows:

ARTICLE 14-B.

Section 240. Application of article. This article shall apply to all counties which shall adopt the same in the manner hereinafter prescribed, providing that the question of its adoption may not be submitted in counties included wholly in a city.

Section 241. Submission of article. If, prior to the first day of October in any year one per centum of the registered electors of any county shall file with the appropriate officer a petition for the submission of the question of the adoption of this article, the said officer shall prepare the following question to be submitted at the general election held in that year, in the same manner as other questions are submitted: "Shall article fourteen-b of the county law, providing for government by a board of county supervisors and a county manager, apply to the county of (name of county)?"

Section 242. Election of county officers. If a majority of all votes cast on such proposition be affirmative, there shall be elected in the county

at the next succeeding general election, in the same manner as are other county officers, five officers to be known as county supervisors. The said county supervisors shall hold office for a term of three years, commencing at noon on the first day of January next succeeding their election; provided, however, that of those elected at the first election under this article two shall hold office for one year, two for two years, and one for three years, the designation whereof shall be made on the election ballot.

Section 243. County supervisors; qualifications; vacancies and removals. County supervisors shall be electors of the county. When a vacancy shall occur, otherwise than by expiration of term, in the office of county supervisor, the same shall be filled for the remainder of the unexpired term at the next general election happening not less than three months after such vacancy occurs; and until such vacancy shall be filled the governor shall fill such vacancy by appointment. A county supervisor may be removed by the governor in the same manner as a sheriff.

Section 244. The board of supervisors; organization, powers, compensation of members. The county supervisors in each county adopting this article shall constitute the board of supervisors of such county and the powers and duties conferred and imposed upon the board of supervisors and the officers and committees thereof in any general or special law are hereby devolved upon the board so constituted, together with such other powers, duties and responsibilities as may be conferred upon them by law, to be exercised subject to the provisions of this article. When the county supervisors elected within such county shall have qualified the supervisors of the several towns and wards of cities within the county shall cease to convene as a board of supervisors or to exercise any of the powers and duties required to be exercised by the board of supervisors of the county. The board shall elect one of its number president, whose powers and duties shall be determined by said board, and shall adopt rules for the conduct of its business. Each member of the board shall receive an annual compensation not to exceed five hundred dollars, the amount of which shall be determined by the said board for attendance upon each of its meetings provided that the total amount shall not exceed five hundred dollars. Such compensation shall be a county charge and in addition to the actual necessary expenses incurred for transportation in going to and from the meetings of the board.

Section 245. Election officers. No person who shall hold or be elected to any elective county office at or before the election at which this article is adopted shall be removed therefrom under authority of this article before the expiration of the term for which he was elected or appointed to fill a vacancy.

Section 246. The county manager; appointment; qualifications; tenure; compensation. The board of supervisors shall appoint an officer who shall be a citizen of the United States but who, at the time of his appointment, need not be a resident of the county, to be known as the county manager. The said county manager shall execute to the county good and sufficient sureties, to be approved by the county judge, in a sum to be fixed by the board of supervisors, conditioned upon the faithful performance of his duties. He shall not be personally interested in any contract to which the

county is a party; he shall hold office at the pleasure of the board of supervisors, and upon removal, the said board shall furnish him with a written statement of the reasons for such action, signed by at least two members thereof. The board of supervisors shall prescribe the salary of such county manager and the compensation of the assistants and subordinates to be appointed by him, which shall be a county charge and may be increased or diminished at any time. A member of the board of supervisors, during the term for which he was elected or appointed, shall not be eligible for the office of county manager.

Section 247. Duties and powers of the county manager. The county manager shall be the administrative agent of the board of supervisors. It shall be his duty

- (a) To attend all meetings of the board of supervisors;
- (b) To see that the resolutions and other orders of the board of supervisors and the laws of the state required to be enforced by such board, are faithfully carried out by the officers and employees of the county including all officers chosen by the electors;
- (c) To recommend to the board of supervisors such measures as he may deem necessary or expedient for the proper administration of the affairs of the county and its several offices;
- (d) To appoint all county officers whose selection by the electors is not required by the constitution, except county supervisors and the county auditor or comptroller, and for such terms of office as are provided by law. Subject to the resolution of the board of supervisors he shall
- (e) Purchase all supplies and materials required by every county officer, including the superintendents of the poor;
- (f) Execute contracts on behalf of the board of supervisors when the consideration therein shall not exceed five hundred dollars;
- (g) Obtain from the several county officers reports of their various activities in such form and at such times as the board of supervisors may require;
- (h) Obtain from the several county officers itemized estimates of the probable expense of conducting their offices for the ensuing year, and transmit the same to the board of supervisors with his approval or disapproval of each and all items therein in the form of a tentative budget;
- (i) Perform such other duties as the board of supervisors may require.

In the exercise of the foregoing duties, the county manager shall have the same powers to examine witnesses, to take testimony under oath and to investigate the affairs of every county officer which is conferred by this chapter upon the boards of supervisors and committees thereof.

Section 248. The administrative code. Within ninety days after the first day of operation under this article, the board of supervisors shall adopt, publish in pamphlet form and cause to be delivered to every officer of the county, and to such other persons as shall apply for the same, a code of administrative rules. Such code, subject to such regulations concerning the conduct of various county officers as may be made from time to time

by the comptroller, shall contain the rules of the said board on the following subjects:

(a) The methods by which the county manager shall exercise the duties imposed upon him in subdivisions (e) to (i), inclusive, of section two hundred and forty-seven of this article.

(b) The method by which, and the form in which, the several county officers and employees shall order supplies and materials,

(c) The form in which, and the times at which, the several county officers shall submit the estimates of the probable financial needs of their offices for the ensuing year,

(d) The manner in which the county treasurer shall disburse the funds of the county,

(e) Such other regulations as shall be necessary to secure the efficient conduct of the affairs of the county and its several offices.

Section 249. Application of certain laws. All general and special laws applicable to the county shall remain in full force and effect except in so far as they are in conflict with this article.

Section 2. This act shall take effect immediately.

PROCEEDINGS

OF THE

Conference for the Study and Reform of County Government

SECOND MEETING, JAN. 22, 1914
AT THE CITY CLUB
NEW YORK CITY

THE NEW YORK SHORT BALLOT ORGANIZATION
383 Fourth Avenue, New York City

PROCEEDINGS

OF THE

Conference for the Study and Reform of County Government

SECOND MEETING JANUARY 22, 1914, AT THE CITY CLUB
NEW YORK CITY

COUNTY MANAGEMENT IN NEW JERSEY

MR. WINSTON PAUL,

Secretary, Citizens' Federation of Hudson County, N. J.

As I understand it, the spirit of this meeting is scientific rather than popular, and it is my duty or object here tonight to make a scientific rather than a popular statement of the real facts connected with the county management of New Jersey.

Now, I am not a pessimist and I am interested in county government professionally, and I would not be interested in it professionally if I did not have some object in proving it, and I am making the statement that I am not a pessimist at the outset so that when I frankly dissect the county managements in New Jersey you will not think it is a hopeless case.

The first and the important board or governing body of our counties in New Jersey is known as the Board of Chosen Freeholders, which corresponds to the board in most states known as the Board of Supervisors. This board has charge of general county matters. It has charge of road matters, except in the case of the Hudson County Boulevard. There are also other exceptions in other counties. It has charge of all the county institutions except, in Hudson County, the Tuberculosis Sanitarium, which is handed over to an independent and separate board.

So down the line, you might enumerate a great many different services or tasks that the County Board of Freeholders is supposed to render, but you will always find added numerous exceptions, with the result that despite the fact that this is osten-

sibly the governing power in the county, its real power is decidedly limited. I should say that when you come to the final analysis its power in the ordinary county is only about fifty per cent., or something like that, of the whole government of the county.

Disunity of County Government

I have drafted a schedule or chart here of the different county boards and officials in an ordinary county in New Jersey. I have found that they get their power from three sources; some are elected, some are appointed by the courts, some are appointed by the governor. And these various boards and commissions, appointed from three sources of authority, or getting their authority from three different sources, supposedly work jointly and in harmony in the governing of the county. You can imagine how much harmony is possible under such circumstances; how much co-operation of a helpful and constructive nature you may expect. For example, there are elected by the people the register, surrogate, county clerk, sheriff, board of chosen freeholders, and the Hudson County Boulevard Commission, which has charge of just one big road, on which is spent over \$20,000 a year—it is twenty miles long. In addition there is also elected the county supervisor.

There is appointed by the courts a mosquito commission for the extermination of mosquitoes; every county has its commission in an effort to stamp out the mosquito. They are allowed to spend mandatorily a certain percentage of the ratables of each county. And we have in New Jersey jacked up our taxation values to a full 100 per cent., so that it is really a considerable item.

There are also appointed by the courts what are known as county park commissions, in addition to the local park commission of the city; there is a system of county parks. They are also given a certain percentage of the county ratables to spend on county parks. Then there are various other commissions of this kind appointed by the courts.

Appointed by the governor, there are the prosecutor of the pleas, corresponding to the district attorney in New York County, and a board of taxation, which is a board of equalization and a board of review from decisions of local boards. There is also appointed a board of elections.

The Board of Chosen Freeholders appoint a great many dif-

ferent subsidiary boards and officials. I say subsidiary boards; some are actually so and some are subordinate only until they get their jobs, and then proceed to make themselves independent. So you can see what a series of different unrelated boards, commissions and officials we have to work out a harmonious county plan.

The County Board of Chosen Freeholders is given the task by law of raising all funds and moneys needed for the maintenance of the county government, but it spends less than half of it. It has to raise all the money, and if the tax comes up, the County Board has the blame, but has the spending of only part. You can see how far we can progress with the modern idea of responsibility in a situation of that kind.

Extravagance in Salaries

There is one method of control that has never been used by the County Board of Freeholders in the past. The law provides that the County Board of Freeholders shall fix the salaries for employees of every one of these independent offices; I mean by that the surrogate, register, county clerk, etc. Those offices in New Jersey—particularly in my own county of Hudson, which includes Jersey City, Hoboken, Bayonne and other cities across the river—are run with frightful extravagance. The number of employees and the salaries are extremely excessive. I made a comparison between Hudson County and other counties of similar size and wealth, and I found that we had twice as many employees as other counties had—and they had none too few—and we were paying salaries far in excess of them. The Board of Chosen Freeholders is really responsible for that situation, for the law provides that it shall fix the salaries of every one of the subordinate officials employed in these county offices. But it is hard to fix that responsibility. You may make the Board of Freeholders responsible, but it is a different thing to get them to do what they should, and it is a far different thing to get the public to realize that the continuance of that system is as much up to them and to the Board of Freeholders as to the county official who wishes to fill his office with political hangers-on. The whole system is one designed to divide responsibility.

The Small Board Plan

Now for the last couple of years there has been a movement for reorganization of county government in New Jersey. Some time ago, in reference to that movement for the reorganization of

county government, quite a number of the twenty-one counties in New Jersey voted to substitute for their large and unwieldy county Board of Freeholders, who were in the past elected from the various districts in the county—so that, for example, in my own county we had thirty-one freeholders—a small group of freeholders, from five to nine, to be held in greater responsibility. So, many counties voted the large boards out of office and substituted a board of nine freeholders, three to be elected each year. The advocates of the new form of government asserted that it would fix responsibility more effectively, and for that reason it was opposed by the machine politicians. The results have not been as satisfactory as the proposers of the plan had expected. It is already apparent that the habits of extravagance of the former boards have been handed down and adopted by the new small boards. There is also the same fact which has frequently served to prevent increased efficiency in city government, particularly under commission government, that the citizens of the county have thought that by the simple adoption of a certain form of government, they could by that fact alone secure an efficient and economical government. Better government is obtained only by better officials guided by proper supervision of the citizens.

But the interesting situation is that with the exception of the two large counties, Hudson and Essex, the Supreme Court has declared it unconstitutional. The whole problem is now before the legislature of putting back into office as before the court decision the small boards of freeholders which in a great many of the counties they decided by majority vote they wanted, but which was declared unconstitutional, so that the whole question is now open in New Jersey. The Governor has considered in his annual message the matter of furnishing a system of responsible government to those counties whose officials were forced out of office by the adverse court decision. I do not know what form it will take. I may have something to do with the bill before it is finally passed, but the whole thing just now in New Jersey is thrown open for new legislative action because of the failure to give the small bodies desired. But it is only a drop in the bucket. So long as we allow independent elected officials to have the power and independent position they have at the present time, county government will be a farce.

As regards the personnel of these new small boards, it has been extremely unsatisfactory. Men of high type have not been elected to the small boards in New Jersey; I am sorry to have to

say so because we had hoped it would be otherwise. The membership is still composed largely of saloon-keepers and plumbers. These classes seem to have a particular interest in county government.

It is to Mr. Wittpenn, who was formerly mayor of the city and is now leader of the county democracy which is in power, that we really owe what little improvement we have had in county government under the small board. The amount of graft, extravagance and inefficiency under the larger board of freeholders was tremendous. You have no idea of the state of affairs in Hudson County; in fact there was serious thought of a vigilance committee to cope with the situation. We have cut out the big graft, but the loss and waste through inefficiency, which is tremendous, still continues in our county government, and it seems impossible to make any impression upon the dominant Wittpen organization to correct that situation.

A County Executive—the “Supervisor”

In conclusion, in my analysis of the form of county government in New Jersey, I want to call your attention to one office which I have not mentioned before—the office of county supervisor—which is rather unique in county government, and which office is at present in only two of our counties—Hudson and Essex, the two first class counties. The county supervisor is, as his name implies, the supervisor of all county matters. By statute he is given the duty of exercising constant oversight and watchfulness in all county affairs, is required from time to time to communicate with the board of freeholders about county financial matters and about general county affairs. He is given a veto power over any and every resolution in the Board of Freeholders; any resolution so vetoed requires a two-thirds vote to pass over his veto. He is able to suspend any official who is not doing his duty, but can suspend only for thirty or sixty days, when the Board of Freeholders must take action either affirming or overriding his suspension. The office of supervisor was created by statute in 1900 and has been in operation thirteen years.

During all that time there is to my knowledge only one supervisor in either of the two big counties who has really exercised the power of that office, and that is the present supervisor in Hudson County. He took office and at once made it a real vital force in the affairs of Hudson County. Freedom from control and power to gain public attention to his office, make him an ex-

tremely important official, if he will use that vital power which he has in his office; but as I say, the office has been a useless one for a great many years. It only needs a strong, aggressive, courageous officer to show that the office is a wonderfully effective instrument in promoting efficiency and economy in our county government. But in the final analysis, the power of the office is largely personal, is largely a matter of sentiment, though the law itself gives wide powers, so that supervisor is really the only check on the Board of Freeholders. The fundamental and essential power of county government rests in the Board of Chosen Freeholders, with the great limitations which I expressed at the beginning of my remarks.

Proposed Unification of Powers

Now I understand that these conferences are called not only for analysis of the present system and method of government of counties, but also for a program of reform. It is my proposal in New Jersey that we put out of office the various independent and unrelated county boards and all this host of independent elected officials, and put all the power for governing the county in a small board of freeholders; give them absolute, complete and thorough-going power to run the counties, and hold them absolutely responsible. It seems to me that the situation is farcical where one group is required to raise money for government and then have the spending of only a very small percentage of that amount.

COUNTY MANAGEMENT OF CHARITIES AND SPECIAL INSTITUTIONS IN OUR OWN STATE

MR. BAILEY B. BURRITT,

Of the Association for Improving the Condition of the Poor.

Like the previous speaker, I am more or less optimistic about county government, but my optimism grows out of the fact that at the present time it is about as bad as it can be and any change at all will be for the better, and it is inconceivable that we will go through our next constitutional convention without considering the problem.

The County Almshouse

Most important of county institutions is the alms-house, and its evolution has been very interesting. Starting back in the early part of the last century we began to build alms-houses in all

the counties of this State. About that time similar institutions were growing up in England under the name of workhouses, for the purpose of providing institutions in which some of the poor who had to be provided for could be taken care of and provided with work on a farm, and in that way lessen the cost to the county.

It very soon grew into an institution for all sorts and conditions of men, women and children. If you went into an alms-house in any of the counties of this State as recently as the '70s of the last century, you would have found, for example, a mixture of the aged, who were in the alms-house simply because they were old and misfortune had come to them, and they had lost their money and were therefore obliged to spend their last days in the alms-house. In addition, you would find children of all ages, beginning with infants. A large number of infants, especially illegitimate children, would be housed in the same building and would be cared for promiscuously with the older groups. You would also find large numbers of the insane, as there was no separate provision for the insane at that time and when a person was found to be insane he was simply committed to the alms-house like the poor. So with the epileptic and feeble-minded and every class of dependent vagrant and inebriate. It was a veritable dumping-ground for all sorts and conditions of humanity.

Beginning in the '70s, and starting in Westchester County in this State, a movement originated to improve the conditions in the alms-houses throughout the State. A strong voluntary committee was organized in Westchester County, and the first vigorous movement made towards improving conditions in the alms-houses was to forbid the committing of children to alms-houses. It was a long fight but it finally succeeded, and the first reform of importance in the alms-house administration of this State was in the removal by law of children from the alms-house. There next grew up a movement that spread over the whole State and lasted for several years, and is still going on; that was, to make a provision for the insane. And reform of the alms-house as we have seen it from that day to this has been largely in the direction of the removal of special groups of cases from the alms-houses and the care of those cases in the state institutions. We thus developed state institutions for the insane and gradually began to get the insane from the alms-houses into the institutions, and that improved county alms-houses by getting rid of cases for which they had no means of providing and was also an improvement for

the insane, because it enabled them to receive some degree of care. The next movement was for the feeble-minded. We now have state institutions for the feeble-minded but still are in the midst of that movement and still have large numbers of feeble-minded scattered throughout the State in alms-houses. Similar institutions are being built for epileptics; there is a large institution in the western part of the State, a State institution, and we are developing one in the eastern part.

We are also providing for vagrants outside of alms-houses. Two years ago a law was passed making it illegal to commit vagrants to alms-houses, but up to two years ago justices of the peace were sending vagrants to them and they were being cared for there with the aged respectable poor. We are still sending most of our habitual drunkards and inebriates to the alms-houses, which are the only places where they can go unless they are sent to the penitentiary.

The Public Health Movement in the Counties

So that the improvement in alms-houses in this State has been largely in the direction of segregation of special types in State institutions. In addition there is a movement going on at the present time to get out cases of tuberculosis. During the past four or five years there has been a remarkable campaign for institutions for persons sick of tuberculosis. It has been a public health movement, a movement away from the pauper idea of caring for the sick. One of the difficulties in caring for the sick in county alms-houses is that you cannot get people who need care to go to an institution because it is a pauper institution, so the movement has grown up to secure special institutions more on a public health basis than on a pauper basis for the care of tuberculosis, and we have now in, I should say, about one-half the counties of the State special hospitals for tuberculosis, or a provision already started, or sites have been selected, if institutions have not been built. In other words, we are in the midst of an active campaign, spread over the State, to care for tubercular sick outside of alms-houses. That leaves in the alms-houses solely those people who must be cared for, the aged, some chronic sick whom we have not provided for in any special hospital, such as chronic heart cases, rheumatism and cancer and the worst types of chronic diseases, together with the inebriates and the vagrants, for whom we still have not made enough provision. As you know, we have now the first farm site selected for the

vagrants, and undoubtedly we will move in the direction of making sufficient provision for vagrants.

Loose Administration of Poor Affairs

The alms-house itself is under the supervision of a superintendent of the poor in each county of the State, but he is, of course, directly responsible to the Board of Supervisors. There is an alms-house committee of the Board of Supervisors, which has nominal direction of the alms-house. There is no attempt to make up a budget for the alms-house. In many instances there is no proper auditing of the bills, and the whole administration of the alms-house itself is in a very unsatisfactory condition. We have, for example, in almost no county of the State up to this time an adequate provision for a physical examination of persons who go to the alms-house so that we can tell with any degree of assurance what their physical condition is. Nor have we any satisfactory record or investigation to know whether the cases are alms-house cases or not, to find out whether friends and relatives can care for them. We have a very loose policy of taking into the alms-house almost any one who comes along who thinks he needs some care and is willing to stay there.

The Poor of the Towns

Admission to the alms-house, a county institution, is inextricably tied up with our town system, and it is almost impossible to discuss the charitable work of a county without discussing the Board of Overseers of the Poor of the town. In many counties we have perhaps as high as twenty or forty, sometimes as high as fifty, overseers of the poor scattered all over the county, each one of whom has power to commit cases to the alms-house. These overseers of the poor are always third-rate politicians in the town who have done a little something for their party and are put on the ticket for that reason. There is a lack of co-ordination throughout the county—an absolute lack of standards—one man commits from one town on one standard and with one standard of investigation, and in another town there are entirely different standards, and many towns have absolutely no standards. I was visiting last year in an alms-house in a county not far from New York and was told by the superintendent that one of the overseers came to the institution so drunk that both he and the man he was bringing had to be kept over night. The overseers are paid on a per diem basis and usually make any little item of work

a day's work. Two cases never go on the same day because they get only one day's pay. They take one one day and the other the next. So that there is absolutely no provision in our present form of county management of our charitable work for establishing standards of co-ordination. Some system should be developed of looking into the cases which come to the alms-house—of investigating their circumstances, finding out whether they are residents of the county or not, and finding out the conditions of their friends.

Before I leave the alms-house, however, I want to say that the cases cared for in the alms-houses are in part county cases and in part State cases. We have what are known as State district alms-houses in this State, which care for, at State expense but in certain designated county institutions, persons in the county who are destitute but have been in the county less than three months and who have not been in the township for a long enough period to be legal town charges. Persons who have been in the county for more than three months but less than a year are cared for at the expense of the county, but where they have resided in the township more than a year they are cared for by the town. As a general condition but not universally, boards of supervisors have authority to abolish town poor at any time and make all poor county charges, and in some counties have done so.

Local Penal Institutions

In addition to the alms-houses, there are local penal institutions, and the evolution of the local penal institution has been almost identical with that of the alms-house. We have never had satisfactory local penal institutions. The only satisfactory outcome is toward State penal institutions. The establishment of State reformatories, State prisons, State farms for vagrants, the movement towards special institutions for inebriates, all point toward the time when the penal institutions will be State institutions. It is scarcely possible for the county to maintain satisfactory penal institutions for any but the very short-time cases.

In addition to the penal institutions and the alms-houses, I have already spoken of the county tuberculosis hospital, which has been a recent growth. The management differs from that of the alms-house in that it is governed by a board of managers of five persons, appointed so that one retires each year, and two of the five must be physicians. They are appointed by the board of supervisors, which is a weak point. We have, as you know, no

satisfactory appointing power in county government. It is unsatisfactory to have the board of supervisors appointing, as nobody is responsible. Everyone can dodge. We have succeeded in getting fairly good boards of managers of our county tuberculosis sanitarium, but it is in spite of our system of county government rather than because of it that we have done so. It is similar in the alms-house. I do not look for any material improvement in our alms-house conditions until we change our method of county government, until we provide for the appointment of the county superintendent of the poor instead of his election, and until we provide a county government which has an appointing power that is responsible to the county government, with a responsible head as the appointing power. More than that, I am quite sure in the case of the town overseers of the poor who are now responsible for sending these cases, that there, too, we shall need centralization. The county superintendent of the poor if he is to have charge of the county institutions ought to have charge also of saying who should go to the county institutions to be cared for. In other words, the work now done would be better done if done by deputies appointed by the superintendent of the poor. We should have the whole work definitely centralized and with one person definitely responsible in case of difficulty.

The Care of Children

We have also the problem of the care of children in our county government, which is another big problem. I was told by the superintendent of the poor of one of the counties of this State only last week that upon coming into office large bills had been presented to him for the care of children in special institutions which had become a county charge, with absolutely no record of the cases in the office of the county superintendent of the poor, in spite of the fact that the law requires such a record. These bills in some instances ran back some years. It is that kind of loose administration that we have to contend with at the present time. We have in the case of children not only the town overseers of the poor but the justices of the peace scattered over the county, and about as many as the overseers of the poor, who have power to commit children; add forty overseers of the poor to the justices of the peace and you get eighty individuals with power to commit children to institutions, and you can see it is a veritable hodge podge and bills for the care of children are likely to pile up.

There has been a movement in various counties of the State

to improve the method of committing children, which is becoming a serious matter and increasing measurably the tax rate in counties. In most instances they are committed to private institutions. There are very few institutions maintained at public expense for the care of children and they are chiefly State institutions. The payment is sometimes on a per capita and sometimes on a per diem basis, and sometimes at a lump sum per week. In some of the counties of the State, citizens have combined with the board of supervisors in providing a county agent whose business has been to look into all cases of children and make recommendations with regard to their disposition. This agent also wherever possible after thorough investigation of the circumstances, frequently finds an opportunity for getting a child adopted or getting it cared for in some family without making it a public charge. This has resulted in very greatly improving conditions in those counties, not only in the care which is taken in disposing of the cases, but also it has actually lessened the number of children who have been cared for, so that the county, including the salary of the agent doing the investigating as part of the expense, has measurably reduced taxes for the care of children.

THE ABOLISHMENT OF THE CORONER'S OFFICE

By JOSEPH DU VIVIER,

Assistant District Attorney in New York County.

You have asked me to speak on the abolishment of the coroner's office. In accepting your invitation permit me to state at the outset that I appear before you in no official capacity, nor do I speak for the great public servant who is my official chief. The opinions that I shall express are my own and those of no one else.

Nor must anything that I say be construed as a criticism of all men connected with the coroner's service of this city. In that office, like every other large city office, there are faithful and honest officials who are trying to do their duty. My relation to them has been a cordial one, and it would be unfortunate if anything that I might say were construed as an unjust criticism of their official conduct.

I wish to speak of the coroner's office as an institution in our system of county government. That it is an outworn relic of the past, an obstruction in the administration of justice in criminal

matters, and a great and unnecessary expense, is apparent to those who have made a study of the question.

This may not be clear to all of you, and it has seemed to me that the experience of one who has had opportunity at first hand of seeing the system in operation might be of value. What I shall have to say shall be based on my own actual experience in the County of New York. It will be for you to say whether my experience is typical of the experience of others, and whether the coroner's office in the County of New York is representative of the institution in other portions of the State.

Decline in the Quality of Coroners

As you know, the coroner is a very ancient officer of the law. I was reprimanded once by one of our learned coroners who wished me to be reminded that the office dated from the time of Alfred "the second." In ancient time the coroner was the representative of the King, chosen for life, and the Lord Chief Justice of the King's Bench was the principal coroner of the Kingdom. It is probable that life tenure and the trappings of royalty secured the service of a competent official, but if so, times have changed, and I know of no more incompetent and inefficient public servant in the State the present day. The office attracts no man of ambition, no professional man of self respect, and rarely a public servant of common intelligence. In the last 12 years it has been the refuge of ignorant men and the home of politicians incapable of obtaining higher office. Some of the coroners have been dishonest; some of them have been ignorant; and all of them have been unskilled in criminal investigation. At one period when I was especially in touch with the Coroner's Court we had as members of the Board of Coroners two perennial office seekers, a good natured doctor of limited intelligence and a plumber. They were succeeded by two inconspicuous doctors of limited intelligence and no experience, an undertaker and a stonemason. An examination of the list of coroners for the last 12 years fails to disclose the name of one official fitted to perform any judicial service in a competent manner.

The work performed by the coroners is in keeping with the character of those who perform it. By a provision of the New York City Consolidation Act (Sec. 1773) in every case where a person dies *from criminal violence, or by a casualty, or suddenly, or unattended by a physician, or in a prison, or in any suspicious or unusual manner*, an inquest must be held. This means that

many cases are investigated that require no investigation, and much money is spent in a foolish way. To die suddenly or unattended by a physician is a common occurrence in a great city. Unless there is some reason to suspect that a crime has been committed it is a waste of time to investigate such a death. To fall out of a window is surely an unusual manner of dying, but it is almost impossible to conceive criminal responsibility from such an event.

Permit me to quote from some of the annual reports of the Board of Coroners:

"A young woman who was riding in a Lexington Avenue car was struck on the left side of the back of her head by a flying piece of plate glass, which entered the base of her skull to the depth of six inches. She was removed in an unconscious condition to the hospital and remained in this state for five hours, when she regained consciousness. She asked where she was and then said she remembered having heard a loud report, but knew nothing more until she awoke and found herself in Bellevue Hospital. She was able to put up her hair, and move her arms and legs in the bed for five days, when she died."

"A man while in bathing at one of our city baths was accidentally kicked and scratched by the toe-nail of a companion swimmer. The limb became infected and sepsis set in, resulting in the death of the man."

On September 21, 1907, "an Italian, while celebrating a religious festival on the roof of his home in Harlem, set off a large fire cracker, which happened to contain an extraordinary charge of powder. The shock was of sufficient violence to cause him to fall heavily to the roof. In falling he sustained a fracture of the skull, which proved fatal."

"An express wagon loaded with trunks was crossing the Brooklyn Bridge. The horse became alarmed at the clanging of the bell of an approaching car and shied, causing the wagon to strike the five-foot wall of the bridge. One of the trunks became dislodged, toppled over the wall, and in its descent to the street below struck a little girl, killing her instantly."

"A boy, fifteen years of age, employed by an insurance company, while in a frolic with a number of his associates in the office was attempting to flee from some girls who wanted to kiss him in celebration of his birthday. He stumbled and fell and an ink eraser which he carried in his vest pocket penetrated his heart."

A study of the day calendar of any Coroner's Court on any day will furnish some idea of the legal trash there disposed of. I hold in my hand the day calendar for last Tuesday, January 20. It is a list of eight cases heard by a coroner on that day. There is but one case in which a crime might have been committed. The day calendar of the day before contains 14 cases, and one case of importance.

It will be seen that these cases that I have cited on their very face negated any criminality. There was obviously nothing to indicate that anybody was responsible in law for these unfortunate occurrences, and yet untrained officials were paid with real money by the taxpayers of this city to ponderously determine what was apparent at the outset to anybody.

The extent to which this is true may be indicated by some statistics. In the seven years covered by the period from 1906 to 1912, inclusive, there have been an average number of 5,631 deaths reported to the coroner's office of the County of New York. The average number of deaths from natural causes have been 3,205 per year, and the average number of deaths of a violent character have been 2,425 per year. In other words, the figures indicate that approximately three deaths in five require no investigation. I consider the fact that a suspicious death may be found upon proper investigation to be due to natural causes, but a very large percentage of deaths reported to the coroner, and investigated by him, and grouped under this heading, are cases of typhoid, measles, diphtheria, tuberculosis, apoplexy, pneumonia, nephritis, and the hundred and one diseases that human flesh is heir to.

Few Cases of Criminal Origin

What percentage of the balance was worthy of the serious attention of the authorities? It is apparent upon second thought that every violent death is not necessarily one that demands criminal investigation. A man who falls in front of a subway train may be said to have met a violent death. The Italian who showed his religious enthusiasm by exploding an extraordinarily large fire cracker, or the boy who fled from the girls who wanted to kiss him on his birthday, were the victims of circumstances. No injury was inflicted that the law would recognize. There were accidents; not crimes.

What percentage of the remaining 2,425 deaths were cases in which it was reasonable to suppose that a crime had been committed? The average number of cases filed annually by the coroners with the District Attorney's office during the seven years referred to were 583. This is approximately one-fifth of the number of violent deaths, and only 10 per cent. of the total number of all deaths reported. In other words, in only one death in 10 was there sufficient evidence to make out a *prima facie* case, and to justify the action of a grand jury.

The waste and extravagance of such a system is plain. The annual cost of the coroner's court in the County of New York (this was before the creation of Bronx County) was approximately \$100,000 (\$94,375). Therefore, it costs the county approximately \$200 for each of the 500 cases sent to the District Attorney for his attention. As a matter of fact the estimate

is a conservative one. In one-half of the cases filed with the District Attorney the defendant was not apprehended; he was not represented at the hearing, and the inquest was a perfunctory and valueless proceeding.

The Cost of Inefficiency

But the expense and waste are much greater than these figures indicate. Five thousand three hundred citizens are subpoenaed annually to serve as jurors, and 10,500 witnesses are annually examined. It is the expense and waste of badly done and ill-considered work. The coroner does nothing that must not be done over again. No reliance can be placed on anything that he has done, nor can he be trusted to do anything right. Every case in which there may be criminal responsibility must be watched. The body of the deceased is barely cold before the experienced prosecutor begins to guard against the probable mistakes of the coroner,—the shifting of the furniture at the scene of the crime, the unskillful handling of witnesses, the insufficient identification of the body at the autopsy, the careless identification of the bullet or knife, or poison, or the clothes worn by the deceased, the danger of newspaper publicity, the observance of the technical requirements of an ante-mortem statement, the injury from unguarded and unrestricted cross-examination of the people's witnesses, and the many dangers in every homicide case of importance.

A dispassionate study of the office leads one to the inevitable conclusion that it is an institution of government wholly unsuited to the needs of the present day. It is obviously expensive, and clearly inefficient. In some cases it is positively dangerous to thus entrust untrained men with important work. In a work I know of no better illustration of the saying of Goethe that—"Nothing is more terrible than active ignorance."

Nor do I underestimate the difficulty of the task that you have undertaken. The annual cost of the coroners to the City of New York is \$162,525. The annual cost through the State is proportionately greater. No such amount of political patronage can be easily destroyed. The coroner is strongly entrenched, and it will be no easy task to dislodge him. All the power and the influence of degraded politics will come to his defense, and timid men will be loath to attack an institution that their reasons condemn. But if the old is to make way for the new, if the archaic is to be substituted for the efficient, if the principles of this Asso-

ciation are true, then here indeed is a task for aggressive and organized men.

DISCUSSION

Mr. R. S. Childs: I would like to ask Mr. Paul whether New Jersey's experience can furnish anything that will be a guide to us in the reform of reconstruction of county government.

Mr. Paul: I am convinced from our investigation in New Jersey that a reform or improvement which does not strike at the very root of the evil is useless. To be explicit, the change from our large boards of freeholders throughout the State to our smaller boards of freeholders has been so unsatisfactory that I am very much of the opinion that that is the kind of reform which does not strike at the root of the evil, so I would suggest to Mr. Childs and to those of you who are planning for reconstruction of the county government in New York that you work out a thoroughgoing plan without regard to whether it is possible to get it through this year or in five years; do not be satisfied unless you do a whole job; halfway measures or a change from a large to a small board won't do the job. The second thing is this: in my opinion what we ought to work for in county government is a responsible head.

Mr. Childs: As a matter of organization, would you approve of our scheme as laid out in the bill which we sent out before this meeting, of a small board of supervisors or freeholders, they to hire a county manager, who in turn has all the appointive power which under the Constitution it is possible to give him over all statutory minor offices?

Mr. Paul: As a matter of organization I would approve of it, but as a matter of expediency I would disapprove of it. I am rather in favor of the city manager plan, but am afraid that in most American cities you cannot efficiently put into operation a city manager plan until that city has had some experience under what we call city commission. We should not jump too quickly into something which the mass of the voters and citizens are unprepared to recognize and to understand.

Mr. Childs: Is that consistent with the other statement? You say your objection to doing this is that you think the whole thing should be planned out ahead and put into effect at once.

Mr. Paul: The difficulty is this, that we must always have our ideal clear. The trouble in county government is that we

have a vast number of unrelated independent boards and officials, which I think I made clear in my remarks, who are fundamentally agents of inefficiency. What I meant in my first suggestion was that the group of people here in New York working for reform should deal with the whole situation. The county manager proposition is a matter of abolishing a lot of boards and commissions. They are two entirely different problems. One is cutting away a lot of worthless trash, built up into a huge system of inefficiency, and the other is a method of progressive management which you know as well as I do may be very efficient for a business corporation, but cannot be put right into operation in a city or county.

Mr. Childs: I would like to ask of Mr. DuVivier what he would propose as a substitute for the coroner's office? There is some work of that office which has to be done by somebody. How would he organize a new system?

Mr. DuVivier: My substitute would be the appointment of two properly qualified men to perform autopsies and one additional magistrate. I think I can say that I would guarantee to do all the work of the coroner's office of this city with two men to perform the autopsies in important cases and one additional magistrate to hear cases of homicide. The provision of the Consolidation Act that I read you will notice was exceedingly broad, and a great deal of my argument was intended to be directed to that point, namely that many cases are investigated which need no investigation. It is my personal opinion that the section is skillfully worded for the purpose of giving more coroners than are actually needed. If the coroner would confine himself to cases that really require investigation, there would be about enough to keep one of them busy, and the result would be that the rest would be even less employed than they are at the present time, and many of their clerks and attaches, etc., would have absolutely nothing to do, which would exhibit a pitiful spectacle even to themselves. But I think that the fundamental error of the whole thing is the idea that a homicide case is different from any other criminal case. There is nothing unusual or extraordinary about a homicide case; it is nothing more or less than an assault case which results in a death, and with the city magistrates in this city at the present time performing such good work in hearing witnesses and holding men for the grand jury, there is no reason in the world why all that work could not be done before a city magistrate.

Mr. Bacon: May I ask permission to take your time in regard to the matter of this county bill? [Text contained in report of first meeting of the Conference.] I come from one of the counties above, where we have for some years been studying conditions—Westchester County. I do not think I am going too far in disclosing this; there is now a movement on foot to combine the services of the Westchester Research Bureau with those of the Municipal Research Bureau of New York in a careful, complete study of county conditions, and the first step in that direction which we have regarded necessary is the procuring of a fund of from twelve to fifteen thousand dollars for preliminary study on top of all the work which has been done by the Westchester Research Bureau for the past three years, when we had five thousand dollars a year.

Is the County Organization Bill Unconstitutional?

I have looked over the bill you have here somewhat, and have thought considerably about it. I think the first defect in it is that it is absolutely unconstitutional. The provision of the State of New York is that county government shall be by supervisors. This bill attempts to get around that by naming the new officers which it provides for as "supervisors." I do not think, to use a homely expression, that "will wash." When the Constitution speaks of supervisors, it means officers of the character that have heretofore existed by that name, and when the Constitution says that the government of the counties shall be by supervisors who may be chosen in such manner as the legislature shall direct, it means by the heads of the separate town governments within the counties. Now your plan of five supervisors at large who partake in no way of the character of supervisors, and bringing them within the Constitution simply by designating them as supervisors, seems to me entirely unconstitutional.

I was very glad to hear what I did not know, of the results of the reduction of the board of freeholders in the New Jersey counties. I have myself questioned very seriously the efficacy of reducing the number of supervisors as a means of accomplishing results.

To suggest to you what should be studied, if I may trespass upon your time, to my mind absolutely the most serious problem in county government in this State is the matter of public printing. That may seem to you a trifle. Our bill for public printing and binding for the county, not for the municipalities, but the

county bill for printing and binding in Westchester County for six years ending the first of January, 1913, was \$640,000, and that is a country county; about \$106,000 a year. Now I can perhaps explain how some of those bills arose. Take some of the bills which were tested out in court the other day, and they were all bills from the same concern. The register of the County of Westchester wanted 110 volumes of indices for the year 1907 and they were bought from one concern and the bill was audited, as the law requires, by the board of supervisors, which was done by referring it to a committee of three persons. Each of those members has said that he knew nothing about the matter—what it was worth. The bill for these 110 volumes was \$9,060, or \$82 per book. The official bookbinder of New York testified on the stand that these books—they are expensive books—could now be bought in the open market for \$26 apiece; in 1907 they would have been 10 per cent. cheaper, and in lots of 100 or more 10 per cent. more, so that they should have cost about \$20 apiece. During the same year the Register's office required "ticklers" four times during the year, 45 volumes each year. "Ticklers" are temporary indices running about three months. They were bought at \$36 apiece, and those, this same New York official testifies, were no longer in use here, but they used a better grade of book in New York and Kings County; that at that time, 1907, they were using an identical book in Kings County except that it was a little larger, and the County of Kings was paying \$6 apiece for them. The day before the last election the board of supervisors audited a bill for 16 account books, \$1,628, one single account book being charged at \$390.50 and allowed at that sum.

The Subsidized County Press

But that is a very minor feature of the printing problem. The power to give out the county printing rests chiefly with the board of supervisors; for certain purposes with other officers. It is in their absolute control for each and every separate contract which is let. The public printing is done at established legal rates—supposed to be—which are very high, but by a convenient fiction an inch of type was resolved some time ago to be a folio, so that if there is considerable spacing or large type is used the number of folios grows by the inch and not by the number of words. There are in the county, I believe, about sixty-six local newspapers. Of those a very large proportion are absolutely dependent for their maintenance on the money that they receive

from the county treasurer. There are several instances in the county where the money received from the county treasurer for public printing is more than the entire subscription-list of the newspaper. What sort of independent criticism of the officials that dispense that patronage are you going to get from those newspapers? That is the serious problem. You have a county press which is held right in the hands of the officers who ought to be criticized.

[Adjournment]

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PROCEEDINGS

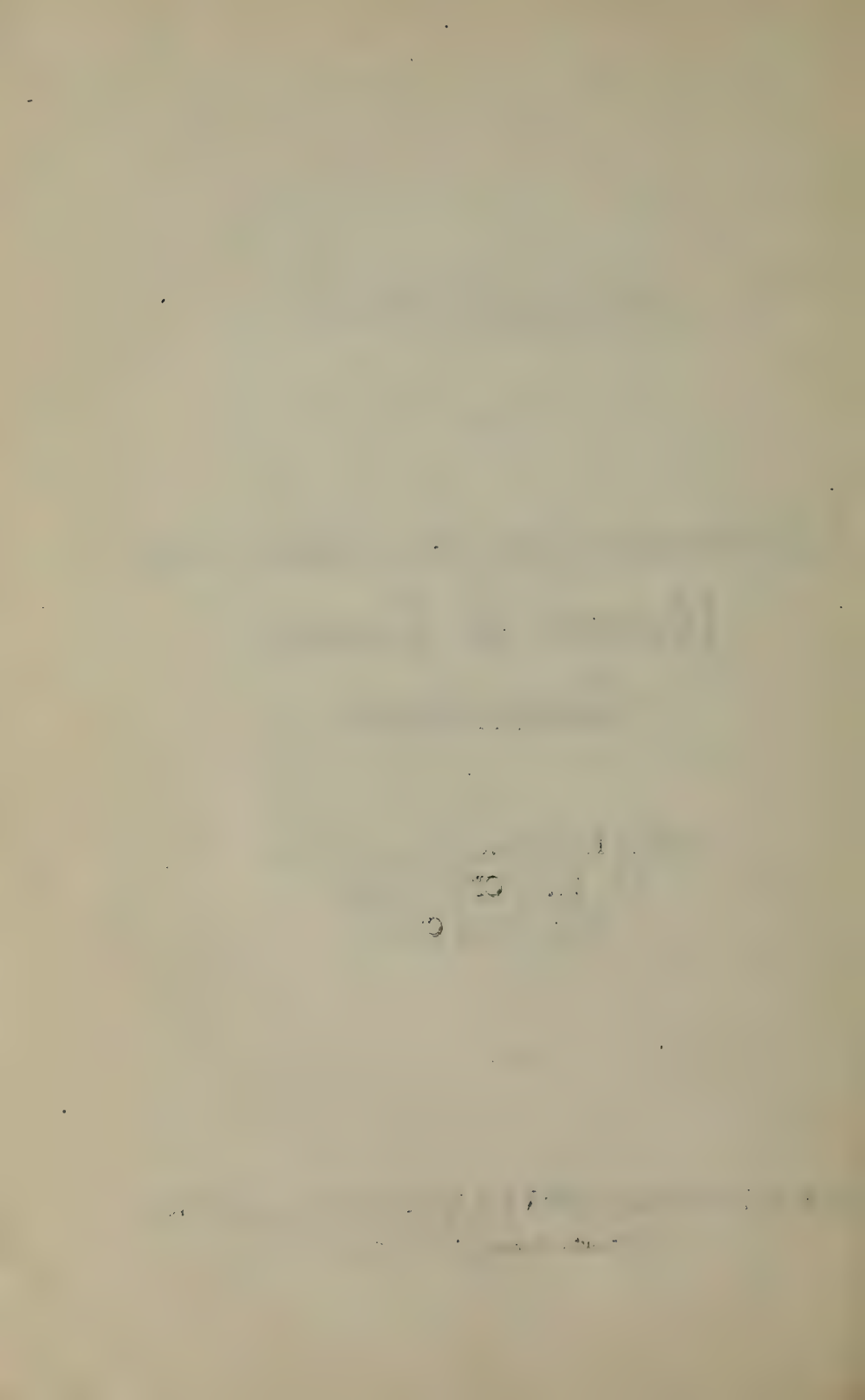
OF THE

Conference for the Study and Reform of County Government

THIRD MEETING, FEB. 20, 1914
AT THE CITY CLUB
NEW YORK CITY

THE NEW YORK SHORT BALLOT ORGANIZATION

383 Fourth Avenue, New York City



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THIRD MEETING FEBRUARY 20, 1914, AT THE CITY CLUB
NEW YORK CITY

COUNTY PRISONS

MR. O. F. LEWIS

Secretary of the Prison Association

Mr. Chairman and Gentlemen: The County Jail is my topic, and since I came in I have been casting around to see if there was anything really good I could say about it—from the standpoint of real permanent efficiency as a well co-ordinated part of our penal system—and on the whole I should say, No. I should not want to go on record, however, as saying that no county jail in the State is good, for many a sheriff is trying to do the best he can. But I did mean that in comparison with the ideas of modern penology, as they have been worked out in our reformatories and our more modern prisons, the county jail is hopelessly backward; and I will say at the beginning that I think that that is fundamentally the result of county government and that we cannot have any very important change for the better until the county jail, or, I should say perhaps better, the administration of the lesser correctional institutions, of which the county jail is one, is taken from the county management and undertaken by the State.

In order to give you a perspective, I shall outline briefly what our correctional system is, so that you can see how the county jail system fits into it. Of course we have various degrees of crime: felonies, misdemeanors and violations of city ordinances, corresponding in a general way to the French scheme of *crimes*, *delits* and *contraventions*, that is, serious crimes, less serious crimes and those acts which are in violation of some local ordinance.

Now the definition of felony in the Penal Code, is a "crime punishable by death or by imprisonment in a state prison." A misdemeanor is any less serious crime which is not simply a violation of a local ordinance. For our felons the State provides State prisons, State reformatories, and a number of felons are also sent to county penitentiaries, of which there are five in the State; in New York, in Albany, in Syracuse, Rochester and Buffalo. Then the misdemeanors are handled almost exclusively by the county jails and by municipal institutions, such as the workhouse and Raymond Street Jail here in New York, while outside of New York there are no local institutions except county jails. So that we have this situation: We have four State prisons, a State prison for women, two hospitals for the criminal insane, something like sixty-five county jails, one in each county, and in addition to that the workhouses, and the Kings County Jail in New York City, besides the district prisons which are attached to the various courts in Manhattan and The Bronx. The State government therefore handles the State prisons and the State reformatories. County government controls the county jails and four county penitentiaries, and the local New York City government controls the workhouse, the penitentiary, the Raymond Street Jail, district prisons and other correctional institutions here in this city. We have, therefore, in this State, as I have said, three different managements of correctional institutions.

The Sheriff

Now the county jail and the county penitentiary are under the administration of the sheriff. Of course I do not need to say how the sheriff is elected or that he cannot succeed himself; the deputy-sheriff frequently succeeds the sheriff and is also almost without exception, I should say, connected with the jail, as is the sheriff. The sheriff is the "boss of the jail," and the sheriff in the larger counties has so much to do that he keeps only general track of the administration of the jail. Frequently the sheriff becomes a deputy sheriff; I do not know how frequently, but there is that give-and-take in some instances.

Now the reason why the State administration of correctional institutions is much better in this State than any other correctional administration is, I suppose, largely because more attention has been paid to the State prisons and to the State reformatories, and, secondly, because the tenure of office is long-

er; finally, because the eyes of the State are fastened upon the institutions controlled by the State, partly because the custom is traditional and partly because more serious offenders are confined in the State institutions.

Not so much attention was focussed on State prisons until about 1870, when a number of gentlemen here in this State and in Massachusetts conceived the idea of a prison which should be based on the principle of reformation instead of on the principle of punishment; so Elmira Reformatory was established, a State institution, and from Elmira Reformatory have grown the other reformatories throughout the country, modeled upon Elmira, and in later years the reformatories for women here in the State, at Bedford and at Albion. Miss Davis, who is now our Commissioner of Correction, has grown up with Bedford, which was established in 1901, when she became superintendent. The State reformatories in New York have rather set the pace for the whole country. In more recent years State prisons have taken on remarkable reform elements of different kinds. At Great Meadow Prison there is outdoor work for prisoners, and the development of personality among the wardens; just at the present time the prisons are bursting into a series of reformatory methods.

Nothing of this sort has in general taken place in the counties. The sheriff, elected for two or three years, three years, I think it is, is anything but a penologist; he has no way to become one and has no incentive to become one. Take the sheriff in the average county and see what is handed to him in the way of a county jail when he takes office. Recently I was speaking in an adjoining county and the sheriff stated that he was the "unfortunate head of the county jail." That is the attitude of a great many sheriffs. Here is a relatively small building with, say, forty or fifty cells, frequently not a modern building, with insufficient accommodations for the classification of offenders which the State Prison Commissioners require. The building gets "knocked" consecutively by the Prison Commission and the Prison Association, who have their inspectors come around. The sheriff is always between the Board of Supervisors, who are trying to keep down expenses, on the one hand, and the State authorities, who come around and say that the jail is in bad condition and that it ought to be thoroughly renovated or that there ought to be a new jail. He finds that his jail is in the

county-seat, directly behind the courthouse; that the allowance for salaries is small. Possibly he is allowed a jailer, possibly he is allowed a night watchman; frequently members of his family have to help out. There may be no salary for a matron and his wife has to take care of the occasional woman that is jailed. He has several classes of prisoners; those who are waiting for the grand jury, those who have been convicted of crime, and those who are short-term men; he also frequently has to take care of men who are put in over night and are to appear in the police court in the morning.

What the Sheriff Is Up Against

The point is this: Here is this jail without, say, a jail-yard, without any opportunity for adequate exercise of the prisoners; the whole thing is outlay; there is no income from the products of the prisoners' labor. The sheriff finds that he cannot command the labor of any of the prisoners who are not yet convicted; convicted prisoners are in for a short time, from a few days to a few months; he regards them largely as "no good anyway;" he has no farm and does not know what to do. Frequently he finds that he has no instructions from anyone, does not know the Prison Law and comes up against the fact, as I found in one jail in the State, that where he sends a prisoner out, trusting to his honor, to work for a farmer, he has gone absolutely contrary to the Prison Law, which says that no prisoner shall be worked by a private individual or corporation, but that all prisoners must be worked, if at all, by the State or the political subdivisions of the State. So he just floats along, making the best of a poor situation. The fact that the Board of Supervisors hold him down is the explanation most frequently given for the absence of modern conditions in county jails.

Of course I could draw pictures to you of county jails. The Prison Commission requires that there shall be something like ten or twelve different classifications within the jail; grand jury cases, which are those awaiting trial, must be held separate from the convicted prisoners, men must be kept separate from women, boys separate from men, boys separate from girls. If there are women in the jail there must be a woman in attendance; although that is not part of the law, it is part of the custom now. The jail may not have over forty cells and may be only two stories high, and how is he to make all these different classifications? I found

one jail in one of the most populous cities of the State, an old building, crammed to the roof with men and women, fewer women, of course—a jail which could accommodate approximately forty-five if each one had a cell to himself, accommodating over one hundred; I found three persons in a cell.

Infrequent Grand Jury Meetings

In some of the counties there are only two grand jury meetings a year, and a man who is arrested charged with felony, if he cannot get bail, and frequently he cannot, will be held for six months before he appears before the grand jury, and then in about four cases out of ten, or three cases out of ten—I am speaking without statistics now—he will be discharged. During that time, in many jails of the State, he has not been outside of the jail once. The construction is such as to inevitably throw the men together during the daytime and frequently at night; the usual construction of the jail is the backing of cells up against each other and then building over these blocks of cells a roof and four walls, with either one or two corridors between the cell front and the outside wall. I say one or two corridors because in the smaller jails there will be only one, and whenever the jailer wants to have anything to do with the prisoners he is obliged to unlock the doors and go into the corridor where the men are assembled. And so, trouble with prisoners can occur and particularly where the jailer is an obtuse man who stirs up trouble by his treatment; and sometimes they do take it out of the jail officials and, of course, escape. Or they may have a wide corridor to walk up and down during the day or else with a grated wall between, so that the sheriff and the other officials can walk on the outside and the prisoners on the inside corridor. The only things they can do is to walk up and down, play cards or other games if they are allowed, have a few magazines or dirty books or exchange smut. Frequently the jail is infested with vermin, and they may commit sodomy or other unnatural crimes or vices, and seldom, it seems to me, can a man come out from such an ordeal after from four to six months without having undergone the most serious possible contamination, which is one of the greatest injustices which could be perpetrated. How the State of New York can do such a thing in 1914 is beyond me, but I think it can be traced largely to county management, because you will not find its equivalent in the State institutions, nor will you find it in any

large degree in our municipal institutions here on the Island. You would not find it here in the Workhouse were it not that the Workhouse has been so faultily constructed that even Miss Davis cannot do anything else with it except allow the men to coningle during many hours of the day.

What Shall Be Done?

I think that the main question you want me to consider is what can be done about it. As I said in the first place, I do not believe we can do much with the county jails as a county proposition. I will call your attention again to the fact that there are two general classes confined in the jail; those awaiting trial and those convicted. If they are convicted of felony they are sent to State prisons or reformatories; if convicted of a misdemeanor, they are generally sent to the county jail.

In England in 1876 and 1877 the state took over the county jails (what they called local jails), something like one hundred and twenty of them. Within a few years the number was reduced to about seventy under the Prison Commission, which was the representative of England in dealing with the prisoners. Since that time the Prison Commission has managed all the correctional institutions in England, and to show how systematically they are managed, Sir Evelyn Ruggles-Brise, the Chairman of the Prison Commission, said to me, "It is just half past four, and I know exactly what is being done at this moment in every local prison in England."

Politics in Jail Administration

The trouble with the State administration of prisons so far has been the fact that politics has played such an important part in the administration of the State prisons. The control of the State prisons is in the hands of the State Superintendent of Prisons, appointed by the Governor with the consent of the Senate. The Superintendent has charge of seven different prisons. I think it is fair to say that a certain amount of politics has played its part in the appointment of every State Superintendent for several years. This officer is dependent upon the legislature and the Governor for the appropriations and great pressure is frequently brought to bear upon him, and it really seems that so long as we have the State Superintendent appointed as he is now and the administration of the prisons focussed in one head, we

are going to have relatively poor administration, or let me say inadequate administration. Investigations conducted during the last few years have brought out that fact sufficiently. Now it might be said: "Why should the State take over the county jails if it cannot run the State prisons to the satisfaction of those who are supposed to know most about proper administration?" I call your attention to the fact that in England the Prison Commission manages the prisons, also to the fact that in most of the modern European countries there is a standard of integrity in public office which we apparently do not have here in the same number of cases.

Coming back for a moment to reformatory management, we have Elmira and Napanoch Reformatories under one Board of Managers. We have Bedford Reformatory under a separate Board of Managers, and Albion under a separate Board of Managers. The State Training School for Boys is also under separate management; in fact, all other State correctional institutions are under separate management, appointed by the Governor and serving without pay, and appointing the superintendent from the civil service list. Members of the State Board of Charities have for several years urged that State prisons be managed by separate Boards of Managers appointed as the reformatory boards are appointed at the present time, and choosing the superintendent from the civil service list. If State prisons can be put under one or more Boards of Managers, and if there can be instead of sixty-five county jails half a dozen fairly large State district workhouses on wide acreage, each of them under separate Boards of Managers, to which the prisoners now sent to county jails can be sent, and if we can eliminate the county jail as a place for convicted prisoners and leave it simply as a place for those detained for trial, we will have eradicated the most serious defects, because any such newer institutions will have the most reformatory methods which have been devised.

We are going through a very remarkable period in our prison administration and many amazing things have been done. We cannot yet determine how much is due to the personality of wardens, how much is due to a real inherent sense of justice and honor in the prisoners, and how long it will be before we may have something like an all-around jail delivery in some of our honor prisons.

It seems to me, therefore, that the solution for the abuses

I have mentioned would be, briefly, in the abolition of the county jail as a place of detention for convicted prisoners, in the establishment of state district workhouses or state district farm colonies for what we call short term offenders, in the development of the indeterminate sentence and parole, and that these State district workhouses should be under separate Boards of Managers, unpaid, appointing their superintendents and other employees from civil service lists.

Another matter is the substitution of an indeterminate sentence for the short-term sentence. There is a bill introduced in Albany now providing that the minimum sentence to State prisons for first offenders shall be one year. At Elmira the minimum for forty years has been abolished, so that there is no minimum but there is a maximum. If we governed the State district workhouses without county management, with indeterminate sentence, which connotes proper parole power for the release of prisoners at such times as they may be properly released, we would practically eliminate, from the standpoint of the penologist, most of the evils that now are inherent in county management of correctional institutions.

Mr. Childs: In the Federal government, Mr. Lewis, the Marshals, who correspond to the sheriffs, and the Federal prison authorities generally are appointed by the President and there are no detached local units of government in the system. How do you think it would work to adopt the complete Federal system in this State? It would probably mean the appointment by the Governor of the Attorney General, who as head of the Department of Justice would control both the marshals, or sheriffs, and district attorneys, and get the whole penal side of the county government into the control of the State. Would that be sound?

Mr. Lewis: I do not feel that I am competent to answer that question because I have not thought of it. That would keep county management in the hands of the sheriff even if appointed by the Governor instead of being an elective officer. It seems to me that the thing to bend our efforts to is getting the county jails out of the county administration.

Mr. Henry: As between the system of independent Boards of Managers and the system of greater centralization, what are the relative merits?

Mr. Lewis: The tendency in general is to place more responsibility in smaller numbers of persons. If we could be abso-

lutely sure of the kind of prison superintendent the Governor would appoint, and if we could be sure the superintendent would not be harassed by all sorts of political and other influence in appointments and other acts, we might have it in the hands of one man. As a matter of expediency, it seems to me that the State will be safer through the general supervision of an unpaid board which centralizes authority in one person, with a board which establishes general principles under which institutions shall be run, and a superintendent who works out the principles in details. I argued this question recently, however, with a member of the State Commission of Prisons who feels strongly that the proper thing to do is to centralize more power in the hands of the State Superintendent of Prisons and take away from the Senate the power to ratify the appointment.

Mr. Waldman: What impressed me more than anything else was the statement by the speaker to the effect that in some of the counties of the state, grand juries met but twice a year, with the result that possibly innocent men are kept in jail—and from the description of jails they are not equal to the best hotels—for a period of perhaps up to six months, and then when the grand jury does meet the members dismiss the complaint and the prisoner has no redress or remedy.

It seems to me that the first principle in the administration of justice is to protect innocent men; it is true that a man convicted and found guilty should be given an opportunity to reform and treated humanely, but the first principle is that a man should be given the presumption of innocence. If I understand the law correctly, I believe it is within the power of any Supreme Court Justice on the application of the district attorney to call a grand jury—I am not sure as to the procedure, but I believe it is practically discretionary with a Supreme Court Justice to call a grand jury at any time.

Mr. Lewis: I think that that has probably developed or continued under the old fee system; and the sheriff's office is an office which pays pretty well, and in many counties is the best office in the county and I surmise that it is partly for political reasons, to "give some other person a show"; that would be my first assumption.

Mr. Childs: How far does the fee system exist now?

Mr. Lewis: I think only three counties in the State. The fee system in connection with the jails still exists. Under the

fee system the sheriff is paid for the keep of every prisoner, \$2, \$3 or \$4 per week for the meals. It is a vicious system; the more prisoners coming in, the more money he can make.

The Chairman: It is rumored that the sheriff of Westchester County makes enormous sums.

Mr. Lewis: He does not make it off his jail, I think.

Mr. Lewis: You will find where there is a regular salary basis and where the Board of Supervisors allots a certain amount that the sheriff may use and must account for all the money he spends, that prisoners on the whole get good treatment so far as food and clothes are concerned.

Mr. Childs: What are the arrangements in the county jail for food?

Mr. Lewis: It is prepared in the smaller jails in the sheriff's kitchen, generally by inmates. He practically always lives in part of the jail or directly connected with the jail and is supposed to be on duty for twenty-four hours of the day, and the food is prepared in the smaller jails by the cook and frequently by a prisoner; if he hires a cook it is frequently a woman and the jail prisoners will frequently be found helping the woman.

Mr. DuVivier: It seems to me that this matter of the number of men who are in the county jails, especially in the country, can be very easily judged. My experience in the country has been that the bail in ordinary criminal cases is surprisingly small. It is not at all unusual to have a man charged with felony and to have his bail fixed at \$250. The way in which the criminal law is administered in country districts makes it exceedingly easy for any man charged with crime to get bail in such small amounts.

Something has been said here this evening as to the infrequency of grand juries. It has always seemed to me that the most practical way of meeting that difficulty would be by a very simple amendment to the law. I think that probably an amendment to the Constitution would be required, but think that the obviousness and practical character of the amendment would commend itself to the entire State, which would permit the district attorney to file an indictment without the matter going to a grand jury unless the defendant requested that the matter should be submitted to a grand jury within five days after the papers had been filed with the clerk of the court. As you probably know, about ninety-five per cent. of the cases that are submitted to the grand jury of this county are purely routine matters. They are

cases that have been heard by magistrates, where testimony has been taken or the defendant has had an opportunity to hear testimony against him or has waived examination, and two grand juries every month in this county spend their time hearing cases which have been heard much more effectively by a city magistrate who had had all the testimony before him and has had the advantage of having witnesses cross-examined before him, has even had the opportunity of hearing the defendant's side of the controversy if the defendant wishes to take the stand, and all of that matter has to be gone over again in a purely ex parte proceeding, a wholly one-sided affair, and then, of course, as a matter of course the grand jury orders an indictment. So it is not at all uncommon for a defendant to be arrested, for him to plead guilty in the magistrate's court and then to be held for the action of the grand jury, and although he has absolutely no defence and is anxious to plead, his counsel seeing the futility of any possible defense to the accusation, all that testimony has to be rehearsed and gone over in a most summary and of course one-sided way by the grand jury. It has been my experience, and I speak from actual experience of several years, that fully ninety or ninety-five per cent. of the cases heard by grand juries are of that character.

Now all that could be obviated simply by an amendment to the law which authorized the district attorney to file an indictment in cases of that character, in fact all cases unless the defendant appeals as an additional precaution to protect his rights, unless the defendant feels that he would like to have the grand jury pass upon the testimony against him. And I think that in country districts, especially where grand juries are infrequent because there is not enough business to justify impanelling a grand jury, that a man who might be unable to furnish the exceedingly small bail could expedite his cause by waiving his right to have the matter presented to the grand jury, the indictment would be filed by the district attorney forthwith, the case put upon trial and all this delay would be obviated. It seems to me that this is one of the most practical ways of meeting the difficulty, and I think it is very easy to exaggerate the seeming injustice which may be done in cases of that character.

COUNTY GOVERNMENT FROM THE STATE COMPTROLLER'S STANDPOINT

By LEWIS K. ROCKEFELLER

Member of the State Comptroller's Staff

In 1905 a law was enacted giving to the State Comptroller authority to examine the accounts of each county outside of New York City, each city of the second and the third classes and each village having a population of 3,000 or more.

The chief fiscal officer of each such municipality was required by this law to make and file annually with the State Comptroller a report of its financial transactions, the form of such report to be prescribed by the State Comptroller. For the purposes of these examinations, the Comptroller was authorized to employ not more than two examiners.

Although a law was previously enacted requiring certain cities in the State to make and file annually a report with the Secretary of State, little appears to have been done thereunder and the law was subsequently repealed. Chapter 705 of the laws of 1905 was the first statute to provide for the examination of local financial matters by a State official. The first year of our work under that law was devoted entirely to the preparation of forms of reports by local officials, and the inspection of the methods then employed in keeping records of the financial transactions of their respective municipalities.

It became my duty as chief accountant of the bureau to inspect those methods and I first visited county offices. Why I went into counties first, I do not recall. I sometimes think it may have been divine interference, yet many local officials, I fear, would see in it more of the work of the devil.

Faulty Accounting Systems

Time will not permit nor shall I attempt description of the various methods of keeping the records of transactions involving hundreds of thousands of dollars of the taxpayers' money. Suffice it to say, however, that I found as many different systems as there were counties visited and they ranged from pencil memoranda on scraps of paper, backs of envelopes, etc., to a fairly good set of books. Out of these fifty-seven counties visited, in but four were found methods of favorable comment. Financial reports of county officials in most instances conveyed little informa-

tion at best and the statements contained in many were not only misleading but often incorrect.

No effort appeared to have been made to verify the statements contained in these reports other than the annual inspection by committees of boards of supervisors which, as a whole, were worse than useless and amounted to nothing more than an expression of confidence that the local official had kept his accounts in such a manner as not to reveal anything.

In the book of one county treasurer I saw in the handwriting of the chairman of the committee appointed by the board of supervisors to examine his accounts a statement, signed by each member of that committee, to the effect that they had examined the county treasurer's accounts and that they were correct in every particular. When this intelligent committee made its report to the more intelligent board, the county treasurer was hailed before it and tendered a vote of thanks. Such faith and innocence would have indeed been beautiful had it not proven so expensive to the taxpayers of the county. The truth of the matter is, gentlemen, the county treasurer had by false entries in the very book in which they wrote their names, "washed off" a shortage in his accounts of nearly \$12,000.

My tour of inspection convinced us of the necessity for the immediate examination of the accounts of local officials and for some means of providing them with proper systems for keeping their accounts. The legislature of 1907 responded by amending our law so as to authorize the State Comptroller to prescribe systems of accounting which shall be uniform for each class of municipalities and by increasing the number of examiners to ten. This number was later increased to fifteen, which is our maximum number today. The law has been amended also to include all towns and incorporated villages.

The work of examining the accounts of local officials was first begun, with one exception, in 1907 and is being continued.

You are undoubtedly familiar with many of the conditions disclosed by these examinations and therefore will not accuse me of exaggeration when I say that in not a single county examined has there been found compliance with every provision of law. On the contrary, in each of the counties examined, serious irregularities in financial transactions have been disclosed and the taxpayers' money illegally expended, in some cases, beyond recovery.

You have heard how, in the county of Broome one man had so manipulated affairs as to acquire access to the funds in the county treasury and draw upon them at will. So carefully had he fortified himself that no local official dared, even had he cared, to refuse his demand for the taxpayers' money. He got what he wanted when he wanted it and paid the most severe penalty known to us.

In Westchester county, the conditions there disclosed are more or less familiar to us all. In Rockland county, you may recall the large shortage disclosed in the county treasurer's office for which the then incumbent served a prison term. In Nassau county you may recall the disclosure of a shortage of about \$45,000 which resulted in the suicide of one of the persons involved and the subsequent confession and punishment of the other.

In another county it was found that because the county treasurer failed to make proper settlements with certain town tax collectors, those collectors illegally retained hundreds of dollars in a single year. In another county it was found that jurors' certificates were issued to dead men, and the money due on such certificates drawn from the county treasury. In more than one county was it found that the families of sheriffs and superintendents of the poor were being maintained illegally and in some instances clothed at the expense of the county. In one county, the superintendent of the poor acknowledged that he had purchased furniture for his private home and the county paid the bills. In another county certain supervisors were doing the same thing.

With but few exceptions, and I cannot now name those exceptions, members of boards of supervisors had been paid more than a most liberal interpretation of controlling statutes would allow. Fees received by public officials were not always accounted for and in nearly every instance those fees had been improperly or illegally expended.

While wanton use of the taxpayers' money was disclosed in nearly every county, the instances in which clear criminal intent was disclosed are, I am glad to say, in the small minority.

The only way to effectually put an end to this waste of public funds and prevent recurrence of these same conditions is to ascertain the cause and remove it. The result of our investigations along that line led us to the following conclusions:

A Diagnosis of County Inefficiency

First: That the conditions found were the result of illegal and improper practices covering many previous years; like the snowball, small in the beginning and growing larger as it rolled down the hill of time. How these practices started is difficult to say. I prefer to think it may have been through ignorance but with honest intent.

Second: That the average county official was either not fully competent to perform the duties of his office or did not take the trouble to properly inform himself of those duties.

Third: That the board of supervisors was largely, if not wholly, responsible either for the inception of those illegal transactions or for their continuation and corresponding growth.

While each official concerned with illegal transactions must bear his share of responsibility therefor, I am satisfied that the board of supervisors, by its sins of omission and commission, must be charged with by far the greater part. Just as all roads led to Rome, so the source of practically all illegal expenditures of county money can be traced to the board of supervisors.

If in Broome county, members of the board of supervisors had not closed their eyes and stopped their ears to what they must have known was being done and had but asked one or two inoffensive questions respecting the abnormally large payments to their clerk, conditions disclosed by our examination either would not have been possible or, at least, would have been brought to light long before. Had the supervisors who were appointed by the board to examine the books of the county treasurer in another county but taken the trouble to step across the street and obtain the balances from the bank itself instead of obtaining them from a bank book prepared by the county treasurer, the possibility of so large a shortage in his accounts would have been obviated. Had boards of supervisors in accordance with their sworn duty required proper accounting of all fees received by county officials, those fees would not have been illegally or improperly expended.

Supervisors' Sins of Commission

While serious results obtained from failure of boards of supervisors to perform certain duties, far more serious results obtained from those things which they actually did.

The audit and allowance of certain claims by boards of super-

visors, as a rule, and some of the reasons advanced for the audit and allowance of those claims shock the moral sense and causes one to wonder how the members of those boards could possibly lend even their names to such transactions. Should we analyze the average board of supervisors in the average county, what would we find? Individually, the supervisor is a man of good standing in his community and one whose honesty and integrity is guaranteed by the majority of his fellow townsmen. It is a pleasure to say that I have nearly always found the individual supervisor to be that kind of a man and I prefer not to think otherwise. I shall not speak of him as an individual, however, but solely as a member of the county board, and of his work as a member of that body.

What qualifications for his work as a member of the county board does the average supervisor possess? The answer must be, in most cases, practically none. Whether or not he may possess any of the necessary qualifications, does not seem to have been considered in his selection. He was probably chosen by some political organization or the leaders of that organization who undoubtedly hoped that he would give the people a good administration, and who felt sure that he would "be good" to the organization, its leaders and its members. While this may be denied or at least doubted, think of what has actually happened to public officials who have not "been good" to the organization which nominated and helped elect them. Have they been honored with renomination and re-election? By no means, if their respective parties or the leaders of those parties could prevent it no matter what means were employed to accomplish their eradication from the public service.

Without proper qualifications and with the full knowledge of what his party expects of him, the average supervisor takes his seat as a member of this important and powerful body. What an individual cannot do alone, twenty or thirty or forty of his equals can do no better. It is often said that one boy alone will do one boy's work; that two boys will do one-half a boy's work and that three boys will do no work at all. I am inclined to the belief that some such ratio prevails in the average board of supervisors.

Supervisors' Interpretation of the Statutes

When we first discussed with boards of supervisors the powers conferred and duties imposed upon them by law and the proper method of exercising those powers and performing those duties, we found the almost general belief that the board could do anything it chose unless some provision of law specifically forbade it. The courts, however, took an opposite view and have uniformly declared that a board of supervisors possesses only those powers and could do only those things which the law authorized. In other words, the courts hold and always have held that the powers of a board of supervisors were limited to those specifically conferred by statute and that any act performed without authority in law is illegal and not binding on the county. What a shock it was to the board to receive this information, which would put such a curb upon it. They knew or must have known that a review of their work in the past would not only disclose serious illegalities but make them personally liable for losses of county money sustained through their acts. What did they do? Did they acknowledge their wrongs and lend their aid in correcting so far as possible the errors of the past and making impossible their future recurrence? I do not recall many such instances. I do remember that many boards seemed to bend their efforts to cover up past mistakes and devise schemes for their continuance.

For example, in Westchester county, our examination disclosed the fact that the county treasurer was retaining to his personal use, in addition to his fixed salary of \$5,000, the fees for issuing liquor licenses which aggregated in the neighborhood of \$5,000. We were of the opinion that such fees belonged to the county and that the treasurer was illegally retaining them to his personal use. The attention of the board of supervisors was called to the matter for proper adjustment, and they adjusted it by increasing the salary of the county treasurer to \$10,000, and permitted him to retain the fees illegally taken. In addition, the board agreed to provide him with an additional clerk, even though his office had been relieved of performing any duties under the liquor tax law. You all know the board of supervisors took no steps to recover the money which was reported to have been illegally paid to its former county clerk.

But I have another and a better one. It was reported that, during the period covered by our examination, the county clerk

of another county had been illegally paid in the neighborhood of \$10,000. The board of supervisors was urged to take necessary steps to recover the money. What they actually did was to pass a resolution fixing the salary of that county clerk at the sum of \$3,000 a year, and in addition thereto the amount of all fees paid to him in former years which the State Comptroller had declared illegal.

Business Sagacity!

As another example of the business sagacity displayed by a board of supervisors, let me cite this instance. A certain county is and has been employing a county attorney at an annual salary of \$3,000, whose duties are, according to the resolution authorizing his appointment, to act as attorney and counselor for the county and for the several offices, boards and committees thereof. An examination of the bills audited and allowed by the board of supervisors for one recent year shows that another attorney was paid more than \$13,000 for legal services which were classified as follows:

For legal services rendered in procuring rights of way for highways.....	\$9,498.82
For legal services rendered county treasurer.....	1,029.95
For legal services.....	2,787.74
<hr/>	
Making the total amount paid to this one attorney in addition to the salary of the county attorney..	\$13,316.51

While I do not propose to pass judgement upon the quality of service rendered by this attorney, it might seem that his charge of nearly \$10,000 for services rendered in acquiring title to \$21,000 worth of property, is out of proportion, to say the least. I might add that the county also paid \$3,165 to a title guaranty company for searching titles to these properties from which it might appear that the \$13,000 attorney did not perform that service.

It cost that county according to its own figures just \$34,241.90 to acquire property for which it paid the owners \$21,072.51. A glowing memorial to the business sagacity of the board of supervisors which completed the transaction and paid the bills with the taxpayers' money.

There is no end to the instances of this nature which I can cite, but I must not take too much of your time with details of which you may be familiar.

What To Do With Board of Supervisors

Conditions which actually exist in the administration of county governmental affairs leads us to no other conclusion than that they must be removed and not permitted to recur. We are now confronted with the question: "How can that best be accomplished?" Since you gentlemen have made a very comprehensive study of the situation and have formulated your answer to that question, I will but briefly give my answer to it. To my mind the whole scheme of our county financial government is not only wrong but it is bad since it permits of so many irregular and illegal practices. I am firmly convinced that either the board of supervisors should be abolished or that it should be permitted to exercise only those functions which are purely legislative in character. Provision should be made for proper administration of the county's financial affairs by officials responsible to the people for the honest and efficient administration of the affairs of their offices.

I am convinced that we cannot patch up our present scheme to satisfy the needs of today. The present scheme may have been sufficient unto the day it was created, but we have outworn and outgrown it, and must cast it aside. To repair, in my opinion, is useless. We must reconstruct upon new plans entirely if we attain success or even progress.

Our methods of assessing property values, of equalizing those values, of levying and collecting taxes, are all obsolete and must be entirely changed, not made over.

More Unification of Authority Needed

I believe we should have a county board or commission, to be comprised of three or possibly five members, who should assess the value of property subject to taxation and that that value should be used as the basis for all purposes of local taxation. I believe that all taxes should be collected by the county treasurer or under his direction and that all claims against the county should be audited by a single official chosen by the people and directly responsible to them for his each and every act.

I also believe that the qualifications for holding public office should be raised to the highest possible point and that officials be chosen because of their fitness for office. As a matter of fact, we can do little toward good until we fill our public offices with competent, conscientious men, or, it may be women.

When we have completely reorganized our system of county government, established those offices necessary for the most efficient administration of its affairs, financial or otherwise, and filled those offices with honest, competent and conscientious persons, we should give them every assistance in our power to make their administrations most successful.

With a deep feeling of shame do I confess that the election of a man to public office today seems to be regarded generally as a signal to turn upon him all the guns of vituperation and abuse.

I believe we wrongfully and unjustly abuse our public officials and the quicker we stop it the better. No matter what may be his race, creed or politics, he is our president or governor or mayor, as the case may be, and is therefore entitled to our respect and our aid. At least he should be spared our slurs.

I do not profess ability to prescribe a panacea to cure all governmental ills, neither am I a pessimist with respect to present day conditions. I believe we are much better than in the past and that during the last few years our progress has been more rapid than ever before. I believe that the next few years will untangle many of our governmental snarls. It is bound to come sooner or later and I shall derive no small satisfaction in my later years in the belief that I may have contributed even a small part to that end.

Mr. Gilbertson: Mr. Rockefeller, I gather from what you say that you favor the election in every county, or presumably in every county of any size, of an auditor. It seems to me that there is only one difficulty with that, and that is by process of election you would have difficulty in getting the man you wanted, a man of technical qualifications, by popular election. Don't you think that objection is pretty serious to making that office elective, in general?

Mr. Rockefeller: My notion was to get some responsible head and make him responsible to the people. I don't believe you need a C. P. A., and I suggested the election of that official as perhaps the best solution of the problem. Today, under the County Law, the Board of Supervisors may appoint the county auditor. He actually is an auditor and audits bills. His action is final except that it may be reviewed upon appeal by the Board of Supervisors. The great trouble is that he is the servant of the Board and is going to trim his sails so that he will please the

Board and will be favored by the Board. If he doesn't, out he goes. Take the county comptroller; the county comptroller as a matter of fact does not finally audit; the work which he does is more in the nature of recommending to the Board of Supervisors. The purpose of that law, as I understand it, was to relieve the Board of Supervisors, to get someone to do the work which they should do, that is to examine these accounts and bills in detail for the purpose of proving their correctness, and also to examine the statutes to see whether or not they are proper charges against the county. But he does not finally audit. Both are good, but I think a sort of combination of the two offices, giving to this official full power to audit, the same as the State Comptroller does for the State and the city comptroller does for the city, is better. If you can devise a better way of selection than to have him chosen by the people, I am in favor of that.

Mr. Waldman: Would it not be better in the auditing of county accounts, that the officials be put directly under a separate department?

Mr. Rockefeller: The State Comptroller does not pretend to audit. We simply examine. We do not set ourselves up as a court of appeals to pass judgment; we simply examine accounts and claims which are audited and express our opinion. Where there is evidence of criminality, we usually present the facts to the prosecuting officer.

Mr. Childs: Am I correct in understanding that the main job of your bureau is to show the county officials how to handle their accounts in an orderly way?

Mr. Rockefeller: That has been our line of action. The local officials, as a rule, are a pretty decent class of men individually, but are handicapped by lack of knowledge and are perhaps inclined to follow precedent.

Member: I would like to ask Mr. Rockefeller whether he would not approve of some proposition providing that the county manager should have the authority to appoint an auditor who should do this auditing under a uniform state law and having also possibly the check of the central bureau?

Mr. Rockefeller: Almost anything would be an improvement under present conditions. It is possible, there is no doubt about it.

Mr. Werner: Would you favor publishing in the local paper a statement of the county bills, after the auditor has satisfied

himself as to the correctness of the figures; so as to show in what way the money has been expended.

Mr. Rockefeller: Periodical statements of that kind I think might be beneficial.

Mr. Childs: You don't want to increase county advertising.

Mr. Rockefeller: That is a different thing. In Albany County we published a brief statement of each claim filed with the supervisors in advance of auditing. We have done it this year for the first time and I am not prepared to say just now whether it is meeting with the anticipated success.

Mr. Werner: To whom ought it to appeal?

Mr. Rockefeller: It ought to appeal to everybody. It is a heartless task to sit down afterwards and say to a fellow, "You are not entitled to that money." The time to stop it is beforehand, and that is the reason we suggested it.

[NOTE:—The Conferences for the Study and Reform of County Government were held under the auspices of The New York Short Ballot Organization, 383 Fourth Ave., New York, N. Y. Separate copies of this pamphlet may be had at that address.]



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REPORT OF THE COMPTROLLER OF THE
STATE OF NEW YORK
ON THE
Fiscal Affairs of the County of Orange
For the Year Ended October 31, 1913

PATRICK L. RYAN, }
H. M. ANDERSON, } Examiners.

The results of this examination are set forth in detail under the various subdivisions of this report, and a general statement only is contained here, dealing with the most important features of the report.

This examination covered one fiscal year of the county's affairs ending October 31, 1913. It was found that county administration during that year was carried on, in many important respects, illegally, and in many cases the officials completely ignored the law, resulting in waste of public moneys, amounting to many thousands of dollars.

There was during this period examined, and there had been for several years prior thereto, a failure to levy sufficient taxes to meet current expenses and a failure to collect all of the insufficient taxes levied. The deficit has been financed by the illegal issue of notes, which have been constantly increasing in amount.

The financing by means of temporary loans and unwarranted payment of interest upon temporary loans was characterized as absolutely illegal in the report of the former examination by this department, the report of which was filed in 1910. Yet this unwise, illegal and inequitable system of finance has been continued.

Money was appropriated without regard to the necessities of the county and expended without regard to the amount available.

The former county treasurer, who was in office during the period examined, had, it would seem, no proper conception of the legal duties imposed upon him. He made payments of unauthorized drafts of committees of the board—drafts of individuals and

officials—claims without legal draft or order. His important statutory duty to pay only on proper legal authority apparently constituted meaningless words.

The records of the county treasurer for the year examined failed to disclose, by appropriate accounts, the purpose of the expenditure. No system of appropriation by detailed budget existed. How much it cost for the various expenses of government was not shown and the necessary data was lost in the meaningless totals of the general fund, the court fund and poor fund. At much expenditure of time the analysis of receipts and expenditures was obtained for this report.

Fees of large amount which belonged to the county were retained by the former county treasurer, with full notice that the fees belonged to the county, as stated in the 1910 report of the examination by this department. By this one channel alone the county has lost many thousands of dollars, from the period covered by the former report up to January, 1914, when the new treasurer took office.

The county clerk has failed to collect for the benefit of the county the full fees required by law, and to him is chargeable partly the illegal and costly administration of the court fund, to which attention is especially directed.

The board of supervisors ordered payments that were without authority of law to the extent of many thousands of dollars. The illegalities in the audits of the board of supervisors were particularly objectionable because of the fact that many of the subjects of criticism were called to the board's attention in the report of the former examination. Illegal payments under such circumstances become a defiance of legal restriction.

The methods of audit were such as perhaps to conceal, and may have concealed, additional illegalities not discovered.

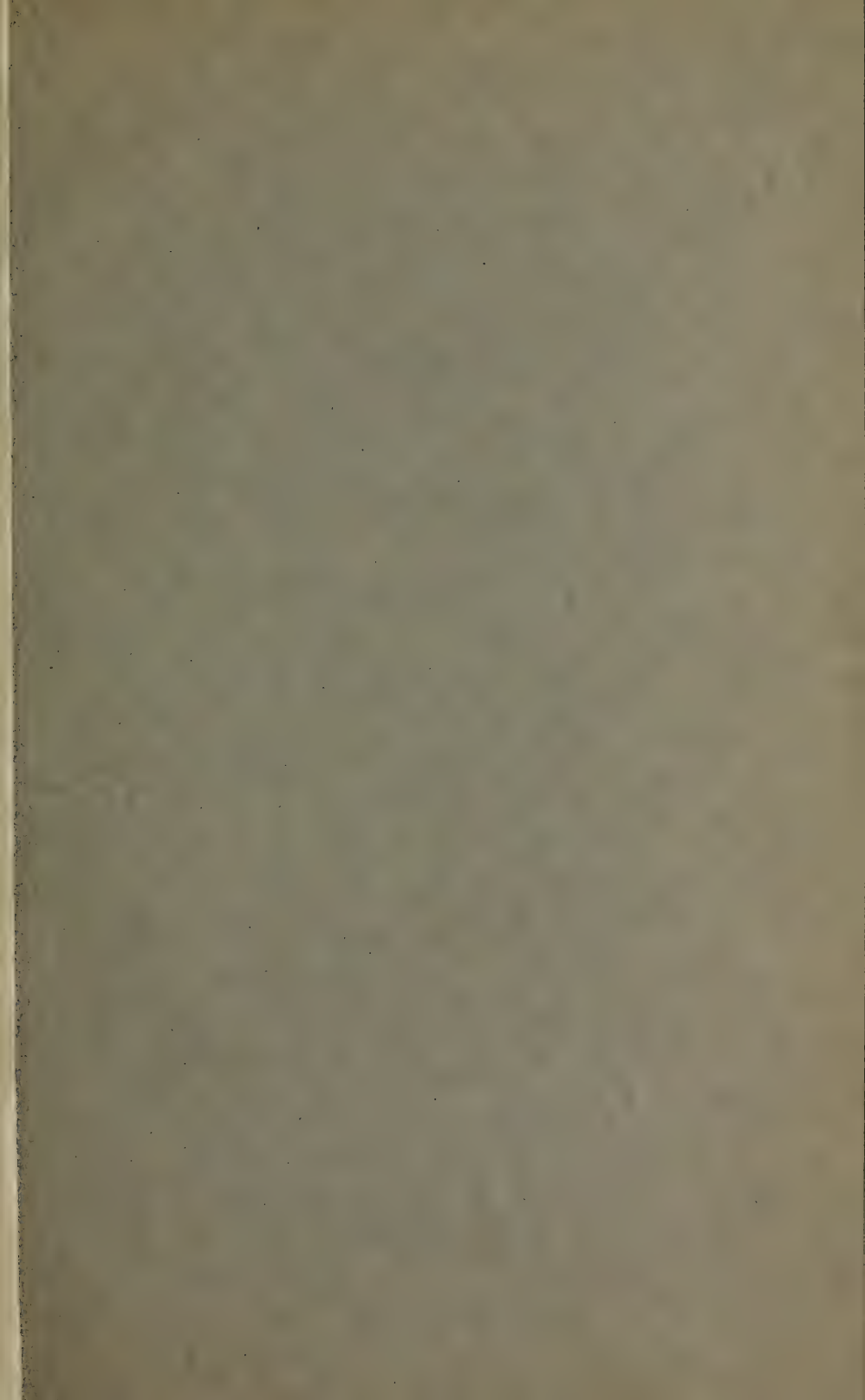
The administration of the poor fund was not in accord with the law and through a failure of the officials to understand the requirements of the law and the necessities of the county, the lack of proper co-operation between the county treasurer, the superintendent of the poor and the board of supervisors, confusion resulted in the poor fund finances and a large deficit accumulated which was financed by illegal temporary loans.

During the examination our effort was not to criticize illegal methods found, but we have devoted much time in pointing out the law and the proper steps to be taken for their correction.

The county has suffered financially to a material extent from

inefficiency, indifference to law and neglect. It has, however, to be stated that the affairs of the county have apparently reached a turning point and that the present indication is that the county is on the road to a legal and businesslike financial administration. The present county treasurer is exerting great efforts to extricate the county from the conditions which have been found. He is determined to prevent payment, except upon legally authorized order. His accounting system has been modified so that it will show the purpose of the expenditures. The examiners have been impressed with the fact that there are many members of the board of supervisors who desire to follow the law and to act only within the limitations of law, and that many members are exerting their efforts to remedy the conditions found.

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Milwaukee County Government

A Bulletin of the City Club



*Being a Joint Report by the Committees on
Civil Service, County Administration,
and County Institutions and Buildings.*

Milwaukee County Government

A BULLETIN OF THE CITY CLUB

Being a Joint Report by the Committees on County Administration, Civil Service, and County Institutions and Buildings.

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TABLE OF CONTENTS

I. Summary ..	3
A. Milwaukee County Government Defects.	
B. A Program for Remedying County Defects.	
II. City and County Government.....	4
III. Organization of Milwaukee County Government.	
A. Resume of Historical Development.....	4
B. Present Organization	6
IV. County Finances.	
A. Auditing and Accounting.....	9
B. County Budget	12
V. The Proposed Abolition of the Boards of Trustees.....	15

TABLE OF DIAGRAMS

A. Present Organization of Milwaukee County Government	
	Opposite page 6
B. Present Financial System.....	10
C. Analysis of Business of Board of Supervisors.....	11

I. SUMMARY.

A. Defects in Milwaukee County Government.

1. **City and county governments parallel** each other in health service, police service, public works, parks, and general administration. This means **confusion, and duplication** of overhead expenses.

2. There is **no centralized control** in the county government: authority is divided between eight elected executives, eight independent boards of trustees, and the Board of Supervisors.

3. Milwaukee County has 43 elected officials in addition to 89 city, state, and national officials elected from Milwaukee—**a total of 132 elected officials.**

4. **Purchasing** is done by 13 or more separate county officials, involving an annual waste of thousands of dollars.

5. **Poor relief is given by four absolutely independent county agencies**, causing confusion, inefficiency, and waste. Pensions out of county funds were recently found to have been issued to dead persons.

6. **Fifteen independent officials** have power to **issue orders** on the **county treasurer**, with no central audit or central accounting.

7. The **budget system** of the county **is loose and confused**. An **overdraft** of \$9,000 was made by one official and a **deficit** of \$17,500 was incurred by one Board of Trustees and paid by the Board of Supervisors.

8. **Only 7%** of the county employees are **under civil service.**

B. A Program for Remedying County Defects.

1. Immediate Program.

a. Provide for a County Comptroller, a modernized budget system, and a County Purchaser. These are all covered by the bill introduced into the Legislature recently by the Board of Supervisors.

b. Place county employees under civil service. The City Club advocates a bill for this purpose.

c. Abolish the boards of trustees and substitute adequate administrative machinery for co-ordinating the management of the county institutions.

II. CITY AND COUNTY GOVERNMENTS.

The city and county governments in Milwaukee are not properly co-ordinated. The two governments parallel each other in their legislative bodies, in health and hospital service, in police service, in street and road paving, in park purchasing, and in general administrative offices such as those of treasurer, attorney and clerk. This duplication undoubtedly represents a very considerable waste in such matters as overhead expenses, and purchasing. Furthermore, the fact that both city and county attack the same problems makes it difficult to work out and carry through any comprehensive plan with respect to those problems.

A further disadvantage involved in the duplication of governments is the large number of elected officials required by this system. Twenty-five or more elected officers could be eliminated by combining the two governments.

The difficulties involved in bringing about city and county amalgamation are, however, very considerable. In the first place the state constitution would have to be amended. In the second place, nine-tenths of the territory of the county is outside the city limits of Milwaukee. If this territory were included in the city the difficult problem of a fair adjustment of taxes would arise. If the city were made into a separate county, some adjustment of the ownership of the county institutions would have to be made, for 15% of the cost of these institutions has been paid by residents of the county outside of the city.

Most of the defects and wastes involved in the division between city and county governments are, however, also present *within* those governments themselves. Duplication of functions, confused organization, decentralized purchasing, and an absurdly long ballot are all features of the present county government. These defects can be corrected much more easily than those involved in the relation between the city and county. It is to the county government therefore, that the City Club committees have turned their immediate attention.

III. ORGANIZATION OF MILWAUKEE COUNTY GOVERNMENT.

A. Resume of Historical Development.

County government, more than that of either city, state, or nation, is a traditional and historical outgrowth. The coroner was once "crown" of the English kings. The sheriff still

performs some of the duties performed by sheriffs in the days of Robin Hood. The elective board of supervisors is an innovation introduced in 1691 in New York State.

More recent tradition has been even more significant in shaping county government. The constitution of Wisconsin adopted in 1848, made such government rigid by requiring (Art. IV., Section 23) that "the legislature shall provide but one system of town and county government, which shall be as nearly uniform as possible." An amendment to the constitution adopted in 1881 prescribes the long ballot for the county by providing (Art. VI., Section 4) that "Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers, shall be chosen by the electors of the respective counties once in every two years."

Constitutional Provisions

At the date when the first of these provisions was adopted, the city of Milwaukee had less than 20,000 inhabitants and the entire state had only 305,000 inhabitants, 100,000 less than Milwaukee alone now includes. At that date, with all the counties predominantly rural, a uniform system of county government seemed the natural thing. In 1881 Milwaukee was only one-third its present size. Thirty-four years have elapsed since then. The problems of a great city have been growing even more rapidly than the population. Modern methods of government have been developed to cope with those problems. Yet Milwaukee is bound, by provisions half a century old, to a decentralized, cumbersome, inefficient form of county government.

Changed Conditions

County boards in this state were originally made up of the presidents of town boards, and of ward representatives. Under this system the Milwaukee County Board of Supervisors grew to be a body of 50 men, in which the rural part of the county was disproportionately represented. Because of its size, this board was unwieldy and inefficient. In order to promote economy in the administration of the various county institutions, various small boards of trustees were created from time to time to manage the poor institutions, the insane asylums, the tuberculosis sanatorium, the agricultural school, and the parks. The control of the House of Correction, the House of Detention (for children), and the Court House has been left directly under the Supervisors. The jail has been left under the control of the Sheriff. The delegation of authority to independent boards, while it increased efficiency in the several institutions affected, made excessively difficult the proper co-ordination of the various departments of the county.

Unwieldy County Boards

In 1911 the size of the Milwaukee Board of Supervisors was reduced by statute from 50 to 19 members, but the independent boards have still been retained. Recently efforts have been made to combine the functions of all these trustees under one board of 5 members.

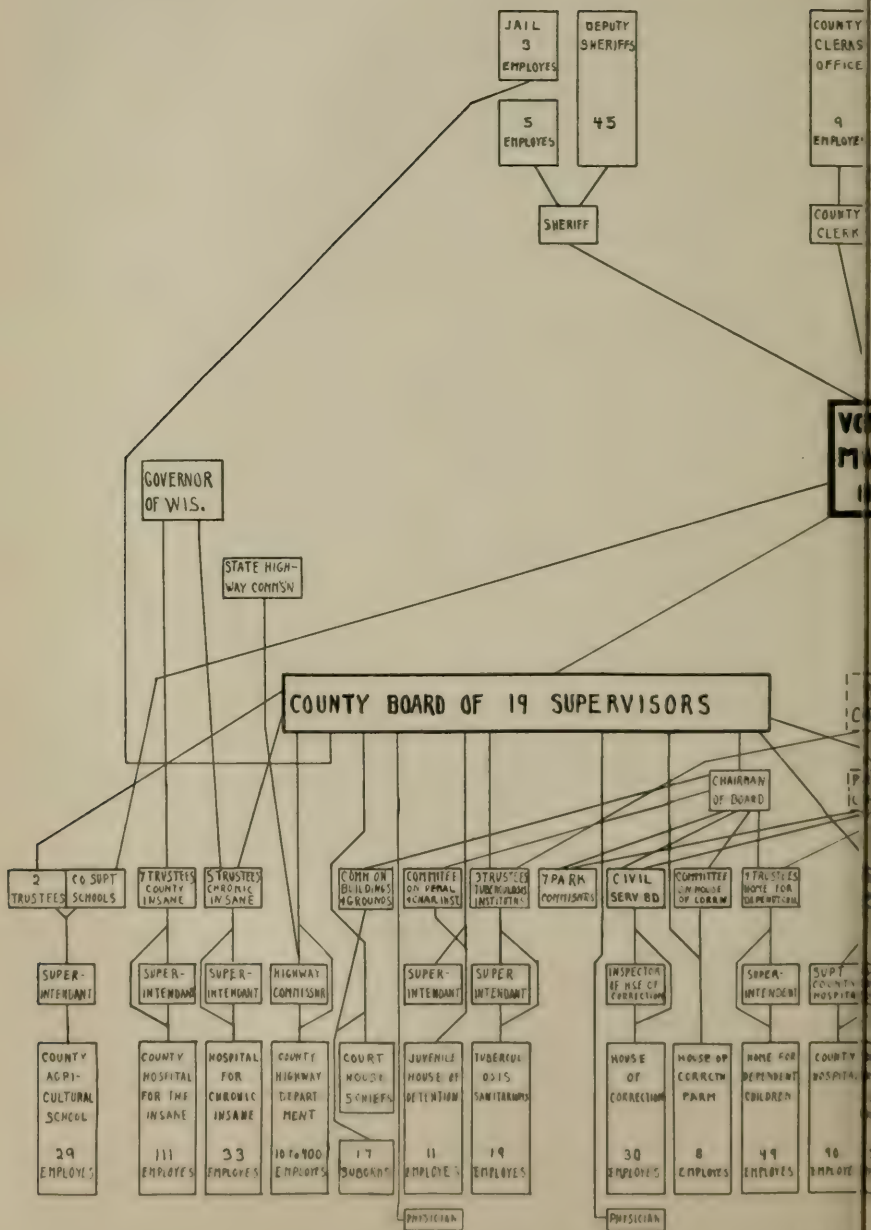
Progress is constantly being made in statecraft. For instance, the clerk of the Circuit Courts was made an elective officer in the early days of the state. But when the Civil Courts were created in 1910, the mistake of multiplying elective positions was seen and the clerk of the Civil Courts was made appointive. The need today is to bring the **whole** county government up to date, to incorporate in our county system the modern methods which are revolutionizing the business and the political world.

B. Present Organization of the County Government.

As a result of the historical development outlined above, Milwaukee county government is too complicated to be successfully described verbally. For the sake of clearness therefore, a diagram has been prepared (Chart A) to which constant reference should be made in reading the following analysis of our county problems. This diagram shows the appointive control of the various county departments. At the center, as the source of authority, are the voters. These elect the executive officers of the county (represented by the rectangles at the top of the diagram), the legislative board (i. e. the Supervisors, represented by the long parallelogram in the lower left hand section of the diagram), and the judicial officers (represented by the parallelograms in the lower right hand section of the diagram). The elected executives appoint directly their subordinates, represented by the oblongs at the top of the diagram. The Board of Supervisors appoints various boards of trustees, represented by the row of rectangles running across the diagram below the supervisors. These boards in turn appoint the subordinate employees of the various institutions, represented by the oblongs at the bottom. Thus, by following the lines from the voter to the institution or from the institution to the voter, the sources of authority, as vested in the appointive power, may be traced out.

The first striking fact revealed by this diagram is the absolute lack of any centralized control in the county. Not only are the legislative, executive, and judicial powers separated, but the executive authority is itself split up between eight elected officials (including the clerk of the Circuit Court who

Present Organization of Mi



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is classed under the judiciary in the diagram). Even these elective executives do not possess all of the administrative powers of the county. The county institutions, which employ more than half of all the county employees, are administered either by boards of trustees (appointed through the Board of Supervisors or through the Governor) or, in the case of the House of Correction and House of Detention, are controlled by the committees of the County Board itself. Each one of the boards of trustees is independent of every other one. In their hands is vested the full authority to create new positions, alter salaries, expend money, and run the business of their respective institutions. In a word, the executive functions of the county government are divided up between eight independent elective officials, seven independent appointive boards, and the independently elected board of supervisors. The authority could scarcely be more diffused and chaotic than in the Milwaukee county government.

The practical results of this condition are very serious. No constructive policy for the whole county government can be put into effect because of the lack of any controlling head. Departments whose work is closely related are likely to be wholly unco-ordinated. The District Attorney and the Coroner, for example, will for the next two years, be of different political parties, although their work should be very carefully co-ordinated. The same thing might easily be true of the District Attorney and the Sheriff. The County Clerk and Board of Supervisors may easily be at enmity politically, although the former should be the ready servant of the latter. The Clerk of the Circuit Court, again, may be entirely insubordinate to the judges of that court, inasmuch as he is independently elected.

The long ballot is another extremely unfortunate feature of the present diffusion of responsibility. There are 43 elected officials in the Milwaukee county government. This is in addition to 56 elected officials in the city government, and 33 in the state and national governments elected from this county.

The Long Ballot The residents of Milwaukee thus vote upon 132 elected officials. Is it any wonder that men are sometimes elected who are entirely incompetent to fill the offices? The duties of the County Surveyor, the County Treasurer, the Register of Deeds, the County Coroner, all require expert qualifications. When the names of literally scores of candidates appear on the final ballot, it is absolutely impossible for the voter to be informed as to the qualifications of the various men. Administrative positions should be filled by appointment under a merit system.

Unfortunately the constitutional provision for the biennial election of county officers prohibits the correction of the worst of these defects. This provision will have to be amended before Milwaukee county can secure a thoroughly centralized government or a short ballot.

Whether or not a constitutional amendment is feasible at this time, certain glaring defects in the organization of the county government can be corrected by legislation.

Lack of centralized purchasing for the county is perhaps the most clearly wasteful feature of the present system. At least 13 different officials have the authority to **Purchasing** buy independently for county uses. Coal for 11 different county institutions and buildings is purchased by 10 different persons. Centralization of purchasing is one of the most crying needs of the county government, and this can be secured by legislation without constitutional amendment.

Another striking defect which can be remedied by legislation is the confusion of authority in the care of the county poor. This duty is split up between several absolutely independent county departments. **Outdoor Relief** Institutional relief is granted through the **Confused** Home for Dependent Children, and the Almshouse, under two quite independent boards of trustees. Outdoor relief is split up between four separate agencies. The "Outdoor Relief Department" cares for general cases, the Board of Supervisors under advice from the Examiner of the Blind grants relief to blind persons, the Juvenile Court dispenses money to needy families having children, and the Soldiers' Relief Commission provides assistance for veterans. The city offers a fifth agency in the nurses who distribute a county fund for tubercular families.

This diffusion of control in public charity brings inevitable inefficiency. Investigations are either duplicated or neglected. The probation officers and the outdoor relief agents make independent investigations of the same families whereas what is needed is one thorough study of the problems of each family. Last year the probation officers were directed to go over the lists of blind pensioners (of whose cases no proper investigation had previously been made). They found that this relief was being drawn for several dead persons. There is no logical reason why the outdoor relief department should not handle this class of work.

Soldiers' pensions are also given without any investigation beyond a sworn statement by the applicant.

Civil service is another pressing need of the county government. This subject is discussed in another publication of the City Club.

IV. COUNTY FINANCES.

A. Auditing and Accounting.

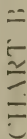
The County Finance Bill, advocated by the Board of Supervisors, aims to correct certain very glaring defects in the present financial system of the county.

The fundamental trouble with Milwaukee county finances is lack of centralized control. The State Tax Commission in 1913 made a study of the county finances at the request of the County Board. This study showed that the County Treasurer pays vouchers emanating from fifteen independent sources. Approximately two-thirds of the entire expenditures of the county (paid out on "county orders") do go through an audit in the County Clerk's office, and accounts are kept of them there. The other third of the county money, however, is paid out on the order of fourteen independent county agencies. No central audit and no central accounting is made for these latter funds. Chart B illustrates these conditions.

Even the audit of the "county orders" is extremely unsatisfactory. Most of these bills are audited by committees of the County Board. One payment of over \$400 was made simply upon an invoice, without a bill having been submitted. There was no certificate that these goods had ever been received, or checked over and found correct. On other bills, the space for certifying the receipt of the goods is often left entirely blank.

The bills audited by the County Board are not classified or even totaled. When presented to the board they are bunched, according to the committees which are to consider them, under such heads as "Sheriff's Accounts," "House of Correction," "Penal and Charitable Institutions," and totals are given of the bills presented under each of these heads. When the bills are ordered paid, however, even these totals are omitted, simply a list of firms and amounts being given with such explanation as the words "mdse," or "services." The Sheriff's accounts, for example, include such items as meat, gasoline, soap, auto repairs, vegetables, etc. Yet these classes of items are never separated and subtotaled anywhere in the "county order" accounts. It is impossible to tell from the official ac-

MILWAUKEE COUNTY



counts of the county how much the sheriff spends for groceries from month to month without going through the whole batch of bills and adding up the separate items.

Recently numbers of bills have been allowed by the supervisors at the same meeting at which they were presented, under suspension of the rules, without even being considered by a committee. On November 10, 1914, over \$14,000 was ordered paid in this way.

Upon this unsatisfactory auditing of bills the Board of Supervisors is obliged to expend nearly one-half of its entire attention, judging from the space devoted to those matters in the proceedings (as illustrated in Chart C). Such a procedure is wasteful, inefficient, and wholly unnecessary.

Analysis of the Business Transacted by the Board of Supervisors

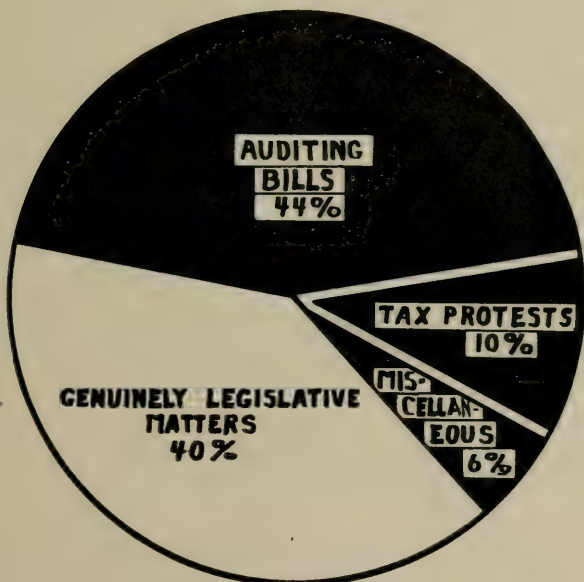


CHART C.

Percentages are based upon the space taken up in the proceedings.

Another feature of the decentralized finances of the county government is the diffusion of the authority to limit expendi-

tures. Out of a \$2,500,000 budget, less than \$1,000,000 was appropriated by the determination of the County Board. About \$750,000 was made up of mandatory appropriations for the independent boards of trustees. Another \$750,000 was determined by state laws, including the road improvement fund, park fund, court fees, and a number of salaries fixed by statute.

Due to the present classification of county expenditures it is impossible to tell from the official financial reports of the county how much is being spent for various purposes. No layman can tell, for example, from the treasurer's report how much the Juvenile Court is costing, and to ascertain the expense of running the county jail for a year would require days of study by an expert accountant. To tell what the actual cost of the entire county government for the year has been, is impossible, since the fiscal years of the various boards of trustees are different, and since there is no central accounting as to obligations incurred but unpaid. The accounting provided for under the County Finance Bill will correct these defects automatically.

The defects in the accounting system of the county may be summarized in the words of the Tax Commission's report. "The plan (of county bookkeeping) should be comprehensive enough to protect the county treasury in all places and under all circumstances. It should be broadly enough conceived in its scope to furnish comparable statistics of costs in all offices, departments, and institutions. The present accounting methods meet this ideal in neither case, even where best organized and kept."

This condition the Supervisors are attempting to meet by their Finance Bill. They should receive the support of all persons interested in efficient government.

B. The County Budget.

The County Board recently adopted a budget of nearly \$2,500,000 for the year 1915. The methods under which this budget was prepared and adopted are, like the accounting system of the county, recognized by the county officials as being far behind modern standards. The proposed County Finance Law, therefore, provides for a scientific, itemized budget procedure, which, in the opinion of the County Administration Committee of the City Club, corrects many of the defects of the present system.

A budget should perform at least three functions: it should show clearly to the public the purposes for which public money is intended to be spent; it should form the basis for estimating how much money must be raised by taxation; and it should serve to keep the expenditures for various purposes within the limits set by the legislative body. The county budget fulfills the second of these purposes, but it fails lamentably to perform the publicity and regulative functions.

The public certainly has a right to know how its money is to be spent. There is no provision in the present county procedure for giving the public an adequate opportunity to study the budget as a whole before it is passed. The County Board committee on Treasury and Taxes, which prepares the budget, must complete its work before the annual meeting of the board in November. Estimates for expenditures for the ensuing year do not reach this committee from some of the departments until about the end of October, thus greatly hurrying the committee and the office of the County Clerk in getting the budget into shape. It is therefore almost impossible for any considerable publicity to be given to the budget before its adoption. This year an effort was made in this direction, the budget having been given to the press as soon as it was in final shape—three days before its adoption. Under the proposed law, estimates must be submitted by a definite date, allowing adequate time for discussion, and public hearings are provided for.

A budget, if it is to be clearly understood and intelligently analyzed, must be subdivided and classified. This is not done in the present county budget. The cost of the Sheriff's department, for example, should be shown in one total. This total should then be functionalized; i. e., divided into some such division as administrative expense, care of prisoners, and court and police duties. These functions, in turn, should be subdivided into salaries and wages, materials and supplies, new equipment, etc. Enough detail should then be given for each of these items so that it would be possible for the public to tell just what individual salaries are to be paid, just what kind of supplies purchased, and just what new equipment secured.

The present county budget fails entirely at this point. The amount of the total appropriation for the Sheriff's department cannot be determined from the budget. A lump sum of \$15,000 is set up for Sheriff's accounts, but this does not include the \$65,000 payroll of that department. This latter sum is lumped into a general salary item of \$400,000. This salary

item includes also the pay rolls of the House of Correction, District Attorney, County Clerk, Register of Deeds, County Treasurer, Detention Home, Court House, and the various courts, yet no detail is presented to show how it is made up, or to indicate the causes for any increase which may occur in it. Under the proposed law classified details will be required.

Since the Sheriff's budget is typical of the weaknesses of the county budget procedure, a brief outline is given below of that budget as it is and as it might be under the proposed Finance Law:

Sheriff's Budget for 1915

As actually passed:

Sheriff's accounts, \$15,000
Salaries (part of \$400,000)
Total (impossible to ascertain from the budget)

As it Would be Under the Comptroller Law

TOTAL APPROPRIATION	\$.....
<i>Administration</i>	
Salaries and Wages	
Sheriff	\$.....
Under-sheriff	\$.....
Stenographer	\$.....
Chauffeur	\$.....
Materials and Supplies	
Office supplies	\$.....
Postage	\$.....
Sundries	\$.....
Contract and Open Order Service	
Telephone Service	\$.....
<i>Care of Prisoners</i>	
Salaries and Wages	
Jailer	\$.....
Turnkeys, 2 at \$900	\$.....
Matron	\$.....
Watchman	\$.....
Janitor	\$.....
Materials and Supplies	
Food	\$.....
Bedding	\$.....
Sundries	\$.....
Contract and Open Order Service	
New Equipment	\$.....
Additional beds	\$.....
<i>Court and Police Duties</i>	
Salaries and Wages	
44 deputy sheriffs at \$1,200	\$.....
Clerk	\$.....

Materials and Supplies	
Office supplies	\$.....
Printed forms and Stationery	\$.....
Motor vehicle supplies	\$.....
Contract and Open Order Service	..\$.....
New Equipment	
New motorcycles	\$.....

This is only a suggestive outline and is subject to modification, but it shows the sort of detail which would be required under the proposed law.

It should be stated that several of the boards of trustees having charge of institutions go through their budget in some detail before submitting their requests to the Board of Supervisors. But this detail is not analyzed beyond such general items as "wages" or "food" and even these details are not included in the final budget.

Probably the most fundamental defect in the present county budget is the fact that it cannot make legally binding appropriations.

The county has but one general fund. Any department may legally overdraw its budget appropriation. For example, the "Sheriff's Accounts" were allowed \$15,000 in the **Overdrafts** 1914 budget. The Sheriff actually spent \$24,105.60—an overdraft of \$9,000 or 60% over and above his budget allowance. Yet this is only one of several overdrafts. Such a condition makes the budget ineffective as a check upon expenditures.

Closely allied to this ease of overdrawing accounts is the practice of running deficits. The Trustees of the Poor have incurred a deficit of \$17,512, to cover which an appropriation was asked and secured in the 1915 **Deficits** budget. The Home for Dependent Children has incurred a deficit of \$9,000, to cover which an appropriation was asked and granted in the 1915 budget. Such practices will be more easily prevented under the proposed County Finance Law.

The passage of this bill is therefore obviously a step toward sane business methods in county affairs.

V. THE PROPOSED ABOLITION OF THE BOARDS OF TRUSTEES

The abolition of the Boards of Trustees of the various county institutions is proposed by the Supervisors of Milwau-

kee County. The institutions of this county have, as individual institutions, been efficiently managed. The County Hospital, for instance, has been pronounced by authorities to be the best hospital in Milwaukee. Collectively, however, these institutions have failed of efficient management in three ways:

First: The purchasing for the various institutions has been done independently. Ten different and independent officials have purchased food for the inmates of the institutions, amounting in the aggregate to over \$100,000 annually for this item alone.

Second: The control of county expenditures has been diffused between various boards and officials. Fifteen different authorities have independent power to issue orders on the county treasurer.

Third: Co-ordination has been lacking between the various county institutions. There has been notable lack of efficient adjustment in such matters as the transfer of patients from one institution to another, the performance of labor by patients of one institution who are able to work at another institution, the development of central heating and power facilities, the efficient assignment of land to the various institutions, the co-operative use of machinery, buildings, or employees by the several institutions, etc.

These conditions need to be corrected by some form of centralized control. The first two difficulties can be met by the passage of the bill advocated by the Supervisors providing for a County Comptroller and County Purchaser. In order to meet the third difficulty it is proposed by the Supervisors to abolish the various boards of trustees and to vest their powers in the Board of Supervisors.

Four possible methods might succeed in bringing co-ordination between the various institutions:

I. The boards of trustees might be abolished and their powers vested directly in the county board.

II. The boards of trustees might be abolished and a single board of administrators be created to manage these institutions.

III. The boards of trustees might be abolished and a county manager system created to have charge of the routine administration of county affairs.

IV. The boards of trustees might be left in charge, but with the financial control vested in the Supervisors through the County Comptroller, and the purchasing centralized

through the County Purchaser. The boards of trustees might then endeavor to bring about co-ordination by appointing a joint committee to recommend methods of co-operation.

Plan number I. would mean simply the creation of committees of the county board to look after the various institutions. These committees would be less permanent, and hence less familiar with the problems of the institutions than are the present boards of trustees. No employed officer would be responsible for the co-ordination of the institutions. Because of the fact that the single County Board would have ultimate authority, many improvements might be achieved. Yet the second or third plan would seem to promise better results.

Plan number II. would be a step in the right direction if the board of administrators were made up of the best members of the old boards of trustees. With the auditing of bills being cared for by the county comptroller the time of the board of administrators would be free to co-ordinate the various institutions and decide general questions of policy. The proposition of requiring these men to devote all of their time to this work, is, however, of dubious value. They would be required to act as a body and not as individuals. Five men acting as a group are less competent to carry out the routine of administration than one man. If five administrators are to be employed at large salaries for full time work, they should be specialists and should each be given charge of some particular phase of the county work. This would be the arrangement under plan number III. If, however, this board of administrators is to decide simply the questions of general policy, they should not be required to devote any large proportion of their time to the work, nor should they receive large salaries.

Plan number III. would organize the county administration along the lines of a business corporation. The supervisors would correspond to directors. They would appoint a county manager corresponding to the general manager of the corporation. Under this manager could be placed the various department chiefs. There is great need of a county engineer, not only to construct highways and bridges, but to inspect or provide for the inspection of county buildings being erected under contracts, in order to protect the county's interests. His department should also test the various county supplies, such as coal, paper, oil, paving materials, etc. These additional functions should be given to the County Highway Commissioner, thus achieving the result without creating a new position.

The county also needs a centralized charity department. The Outdoor Relief, the Almshouse, and the Home for Dependent Children should all be under one department. At

present four different county agencies are dispensing outdoor relief. The pensions for the blind should certainly be placed under the outdoor relief department.

It might seem wise, sooner or later, to consolidate all of the county work for the sick under one Health Commissioner. Perhaps this step should be delayed, however, until the new system has gotten well under way. Later also, it might become legally possible to consolidate the control of the jail and house of correction under one inspector.

The great advantage of the above proposal would be that it would provide the Board of Supervisors with an administrative agent giving his full time to work under their direction. When questions arose such as whether additional employees were needed, whether a new building was required, or how the farm lands should be assigned, he could make the necessary investigations and report to them. All of the details of the management could be taken care of by the manager, leaving the supervisors free to decide the questions of general policy.

In case the boards of trustees are not abolished plan number IV. might be the means of bringing about some degree of co-ordination. Under this plan the various boards would unite in appointing a joint committee on co-operation.

Conclusions

After considering the advantages and disadvantages of each of the above plans, the county committees of the City Club recommend:

1. That the boards of trustees be abolished, **provided** that a good Civil Service law and the Supervisors' Bill providing for a County Comptroller and Purchaser be first enacted, and that adequate administrative machinery be established for co-ordinating the management of the county institutions.

2. Under the foregoing conditions these committees would endorse the creation of a single board of administrators to control the county institutions. These administrators should, however, serve without pay, or with only nominal compensation.

3. The Milwaukee Hospital for Insane, which is now largely under state control and support, with its board of trustees appointed by the Governor, should probably be excluded from the foregoing considerations, and carried completely under state control like the State Hospital for Insane at Oshkosh and Mendota.

4. The House of Correction, and Juvenile House of Detention, being county institutions, should be included with other county institutions, as within the application of any general plan for centralization of county control and administration.

THE GOVERNMENT

OF

HUDSON COUNTY

NEW JERSEY

BY

EARL WILLIS CHECRAFT, M.A.

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE
OF DOCTOR OF PHILOSOPHY, IN THE FACULTY OF POLITICAL
SCIENCE, COLUMBIA UNIVERSITY.

JERSEY CITY, N.J.
1915

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CONTENTS

Chapter

- I. Introduction.
- II. The County Supervisor, Chief Executive.
- III. The Board of Chosen Freeholders.
- IV. Functions of the Board of Freeholders—
Buildings and Institutions.
- V. Functions of the Board of Freeholders—
Officers of Administration.
- VI. The County-State Administration.
- VII. The State-County Administration.
- VIII. The Judiciary.
- IX. County Financial Administration.
- X. Conclusion.

CHAPTER I

INTRODUCTORY

Hudson County is one of the two counties of the first class in the State of New Jersey.¹ In point of population it is the largest county in the State but in respect to its area it is the smallest.² The cost per inhabitant for the government of the county in 1913 was \$3.30, which was an increase of \$1.32 per capita since 1908. The per capita wealth of the county in 1913 was \$977.68, and in 1908 was \$820.85, showing an increase of \$106.83 in the per capita wealth of the county for a period of five consecutive years. The county has had a rapid growth both in population and in economic wealth and the prospects are favorable for a still greater development due to its position as near neighbor to the City of New York, just across the Hudson.³

While Hudson County has grown to be the most populous of the twenty-one counties of the State, its history as a separate political unit dates from a much later period than that of the older counties of New Jersey. The first appearance of any county as a unit of local government in New Jersey was in 1675. Hudson County, however, did not become a separate county until 1840. In the colonial period, distinct county functions first take root in the "Concessions" of 1665, which may be

¹ Essex County is also a county of the first class. Its population in 1910 was 512,886. For legislative purposes all counties in New Jersey are divided into four classes. Those having a population above 300,000 are of the first class; those having between 50,000 and 300,000 are of the second class; those having between 20,000 and 50,000 are of the third; and those having a population under 20,000 are of the fourth class.

² The population of Hudson County in 1910 was 537,231. The total area is 38,709 acres, or about sixty square miles.

³ The County of Hudson and the City of New York lie parallel on opposite sides of the Hudson.

regarded as comprising the first charter of the province.⁴ By the Concessions the assembly was granted the right to establish courts, limit their jurisdiction, and appoint the executive officers for the courts.⁵ In accordance with the charter the assembly passed the act of 1675 which made provision for a county judiciary. "At the same time," says Howard, "four counties were somewhat vaguely defined, each with a county court or court of sessions meeting twice a year."⁶

The several administrative officers which were soon added to the county courts of the colonial period, were the sheriff and the county treasurer, or collector, as he came to be known later. It is interesting to note that the early judicial bodies exercised certain administrative functions relating to the assessment of property for taxation and the building of county jails. In assessing property for taxation the county authorities co-operated with the local assessors in the several towns. This presents a feature of local government which has been pointed out as constituting an important precedent for the mixed town and county system of local rural government which extends so widely in the United States to-day.⁷ The functions of the courts were further developed as the county government gradually took shape. General sessions of the peace and courts of common pleas were established from which appeals might be taken to the supreme court of the colony. In 1704 definite county

⁴Howard; *Local Constitutional History of the United States*, Vol. I, page 365-368.

⁵Ibid. Text of "Concessions;" Leaming & Healy Coll, pg. 1-25. Other references: Field, *Provincial Courts of New Jersey*, in Coll. of the New Jersey Historical Society, Vol. 3; New Jersey Archives 1; Scott, *Influence of the Proprietors in Founding New Jersey* 7-22.

⁶The four counties were Essex, Middlesex, Monmouth and Bergen, from which latter county Hudson County was finally separated by act of the legislature in 1840. A separate county government for Hudson County was established in 1843.

⁷Scott; *Influence of Properties*, pg. 19-23; Howard, pg. 367. Professor Howard says: "Thus in 1686, rates for highways, laid out by the county commissioners appointed by the general assembly, and taxes for all other public purposes within the limits of the town, were to be levied by four or five assessors elected by the people of each town, and the justices of the county court were authorized, with the consent of a majority of the assessors, to approve, amend, and confirm the same."

government was provided for the colony by the Ordinance of Lord Cornbury.⁸

The mixed town and county system of local government, therefore, developed quite early in New Jersey. The justices of the peace, like their English prototype, performed administrative functions as well as judicial. They were given the authority to work in co-operation with the town officials in financial matters. In 1693, "each town in the county was empowered to choose one or more men to join with the justices of the county court, annually, to adjust the debts of the county and assess taxes for their payment."⁹ The association of these two groups of officials working together developed into the county boards composed jointly of justices of the peace and of chosen or elected "freeholders" representing the several towns.

The freeholders and the justices were authorized to choose a county collector to act as the receiver of taxes for the county; they were also empowered to assess property for purposes of taxation. The county collector was held responsible for the collection of taxes and might sue the collectors of the local town governments for non-payment of their respective share of the county taxes. The justices were directed to sell the property of citizens who became delinquent in the payment of their taxes. The expenses of the county governments were small and the taxes were of minor importance to the town expenditures.

The freeholders and the justices were empowered to supervise the construction of a county jail and a building for the county court. Such authorization usually was given to the counties by a special act of the assembly; this act outlined the procedure for the county officers to follow. The justices and the freeholders might decide first on the need for a jail or court house. An election might then be held to determine the location of the pro-

⁸For this general subject see Field, *The Provincial Courts of New Jersey*, Appendix C of which contains the Ordinance of Lord Cornbury.

⁹Scott; *Influence of the Proprietors*, pg. 22. Fairlie; *Local Rural Government in Counties, Town and Villages*, p. 29.

posed building. The matters of determining the cost, the method of assessment on the taxpayers and the work of construction were also left to the county boards.¹⁰

From the first the method of selecting freeholders from the municipalities was by election. The system of individual town representation on the county boards was introduced at an early date, and was allowed to continue long in operation. Recently, however, it has given way to a system of county boards which are composed of a few members elected on a ticket at large.¹¹ The practice of giving representation to the several municipalities on the county taxing board was an influential moulding force on the local institutions of the early colonial government. If the county boards were to exercise the right of assessment and taxation of property owners in the several towns, the latter insisted on the right of representation on the county boards; this was granted.¹²

The colonial legislature of New Jersey created counties at will; and by the time the colonies had declared their independence, we find thirteen counties in existence. The procedure in creating the new counties was similar to that in practice at the present time. The inhabitants of the particular locality were required first to petition the legislature for a separate county government. The legislature might then respond with an act to that effect. This act would designate the boundaries, determine its representation in the Assembly, grant the local authorities power to construct the necessary county buildings, and extend broadly the operation of all existing laws to the new county, in so far as these might ap-

¹⁰ Leaming & Spicer Collection Early Laws of New Jersey, p. 268, also p. 350.

¹¹ Laws 1912, Chapter 158. The provisions of this act have been adopted in Hudson County. See Chapter 3, *Infra*.

¹² Thus in 1843, three years after Hudson County was separated by act of the legislature, we find each township represented on the county board as follows:

Bergen Township	2 Freeholders
Jersey Township	2 Freeholders
Van Vorst Township	2 Freeholders
North Bergen Township	2 Freeholders
Harrison Township	2 Freeholders

ply to counties in general.¹³ Eight counties have been created in New Jersey since the colonies declared their independence, and during all this time the state has had but two constitutions. In both of these instruments the details of county government have been omitted. The legislature has constantly exercised the authority to modify and determine the institutions of local rural and urban government.¹⁴

The present constitution of New Jersey, including amendments, makes little reference to the institutions of local county government; indeed it cannot be considered as much as a guide to the legislature. The legislature, as a result, may classify counties and adapt different features of county government to the several classes. In this respect the situation in New Jersey is commendable when taken in contrast to the situation in New York, where the state constitution expressly prevents any classification of counties, and where populous counties like Erie and Westchester must be governed in conformity to general laws which apply to all counties alike, regardless of widely varying local conditions.

In another respect, however, the situation as regards legislative discretion in governing counties in New Jersey is open to severe criticism. The legislature is tempted to interfere too much with the details of county and city government. Although the constitution expressly forbids the enactment of special and local laws "regulating the internal affairs of towns and counties; appointing local offices or commissions to regulate municipal affairs," the spirit of this prohibitive clause is violated in actual practice.¹⁵ The legislature enacts measures which are drafted so as to apply to counties and cities as a class, but which in actual practice often affect and are intended to affect one county or municipality. By a series of judicial decisions the courts have up-

¹³ For an example, see Act of the Assembly creating County of Sussex, Acts of Province of New Jersey 1753, page 20.

¹⁴ Constitutions 1776 and 1854.

¹⁵ Constitution, Art. 4; Sec. 7; par. 11.

held this practice of the legislature.¹⁶ It may be pointed out in this connection that the courts of New Jersey in comparison with other states have gone to the extreme in upholding the constitutionality of legislation the practical effect of which is to interfere with the internal affairs of some one county or municipality. For any abuses resulting from this practice responsibility must rest with the judiciary as well as with the legislature.

The constitution is silent in regard to such county institutions as the board of chosen freeholders, the supervisor, and the score of administrative boards, commissions and officers. It does require, however, that "sheriffs and coroners shall be elected by the people of their respective counties, at elections for members of the general assembly" and that these officers shall hold office for three years.¹⁷ It is also provided in the constitution that county clerks and surrogates shall be elected in each county who shall hold office for five years. But aside from providing for the officers of the court, the general plan of county government is left to the legislative discretion and may be changed from time to time by the legislature without encountering serious constitutional difficulties. Thus it would seem that nothing in the constitution would forbid the introduction of commission form of government for counties in New Jersey.

Under the State constitution each county is permitted to elect one member of the state senate.¹⁸ In former times this provision operated equally on the several counties of the state. Counties then were more uniform in population and wealth, and the constitution-makers of the state of New Jersey followed the example of the

¹⁶ A digest of these cases is given in the New Jersey Digest, Vol. 6, under "statutes," Sec. 19-22. In *Dickenson v. Board of Freeholders* (71 N. J. 159) it was held that where the population bears a reasonable relation to the subject matter, legislation based thereon is constitutional. Other cases where this question is discussed are *Board of Freeholders v. Clarke*, 65 N. J. L. 271, and *Mortland v. Christian*, 52 N. J. L. 521.

¹⁷ Constitution Art VII, Sec. 2, Par. 6 and 7.

¹⁸ Constitution; Art. 4, Sec. 2, Par. 1.

framers of the federal constitution in providing for equal representation in the upper branch of the central legislative body. Today the purpose of the constitution framers is defeated in actual practice; Hudson and Essex counties together represent almost one-half of the population of the state and about one-half of the wealth, but they are denied representation in the upper house of the legislature in proportion to their importance.¹⁹ All attempts to amend the constitution have failed due to the control exercised by representatives of the smaller counties in the state senate, all of whom vote as one against any attempt at change in the present system.²⁰

Counties in New Jersey are represented in the lower house of the state legislature in proportion to their population.²¹ Members are elected annually from each county throughout the state and are apportioned among the several counties according to the number of their inhabitants. A new apportionment is required every ten years, but the whole number of members of the lower house shall never exceed sixty. Hudson county elects twelve members annually to serve in the Assembly. These men are elected at large, instead of by separate districts; the result of this arrangement is that the county delegation usually represents, as a unit, the strongest political party in the county. The party leaders make special effort to secure and control a united delegation of assemblymen at each election. Through ex-

¹⁹ The ratables of the state in 1914 were \$2,481,605,038, while those of Hudson and Essex counties were \$1,160,493,164. The population of New Jersey in 1910 was 2,537,167 and the combined population of Hudson and Essex was 1,040,117.

²⁰ Governor Wilson in 1911 exerted his influence for a new constitution in the state, which, among other changes, would destroy the minority rule of the smaller counties. Reviewing the situation a recent writer says: "When the State entered the work of building a new system of government for herself in 1844, adherence to the Jersey Idea of 1789, led to the establishment of the upper house of the legislature, on the same basis of equal representation for the counties. The subject was not of such importance at that time, because none of the counties were over large; they were a family of little communities, and the charter builders readily agreed to the proposition that each county should have one, and only one seat in the state senate." Sackett's "Modern Battles of Trenton;" p. 380.

²¹ Con. Art. IV, Section 3.

tra-legal means the county often regains "influence" by a unit delegation in the lower house in proportion to the loss it encounters through under-representation in the senate.

In certain aspects, state centralization of control over counties has been developed, to a more advanced stage in New Jersey than in the majority of states.²² However, the two counter tendencies, first, of centralized control over local affairs by the state, and second of greater self-government by the local county and municipal authorities, are discernible in this State as elsewhere. The constitutional provision requiring equal representation of all counties in the senate has assisted the centralizationists in state control over the larger counties; the larger counties have been at the mercy of the smaller. The legislatures have frequently enacted legislation affecting the internal government of the large counties which the latter claimed should be a matter for their own regulation. The fact that Hudson County has always been a stronghold for one political party, while the legislature for twenty years has been under the control of the rival party, has increased the antagonism between the state and county governments.

The five Hudson River counties, with Hudson County in the lead, have rapidly grown in population and wealth until their influence in state affairs has become powerful; especially is this true of matters which touch their mutual interests and which call for their joint action. The state has necessarily had to develop powers correspondingly great in order to perform properly the functions belonging to it. Among the functions of county government which have been made the subject of regulation, directly or indirectly, by act of the legislature, are assessment of property for taxation, election, park and highway matters, jury reform, care of orphans, besides many other functions. In most cases the object of the legislature has been to secure uniformity of regulation. But there are many county mat-

²² See Chs. VIII, and VI

ters which might be made uniform throughout the state which have not yet been acted upon by the legislature.²³

In certain political aspects, Hudson County as a distinct unit may be worthy of rank with many of our state governments. The organization of the county government bears close similarity to the organization of state governments; that is to say, the county government is modeled somewhat after the classical plan of separating the three powers, executive, legislative and judicial. Furthermore in certain economical aspects, the county will bear comparison with many of the more dignified political units recognized as "States" by the Federal Constitution. For example, the budget of Hudson County is equal to and in some cases is greater than the budget of such states as Arizona, Arkansas, Colorado, Idaho, Maine, Mississippi, Montana, New Hampshire and Tennessee; it is twice as great, furthermore, as the annual appropriations, respectively, of South Carolina, Vermont and Utah.²⁴ The county bonded debt is greater also than that of forty-five out of the forty-eight states in the Union. The population also is equal to if not greater than that of such states as Rhode Island, New Hampshire, North Dakota, South Dakota, Oregon, Vermont, Montana, Idaho, New Mexico, Utah, Delaware, Arizona, Wyoming and Nevada.²⁵

From an enumeration of such facts it appears that the responsibilities placed upon the officials of Hudson County are as great if not greater than those placed upon officials of many states. It would seem, therefore, that the same care should be used in selecting good men for the county government as in choosing officials for the more highly respected governments of the states. In view of this, furthermore, the opportunity for public service in the county should be just as attractive to men of ability as the public service of the state. The best men

²³ New Jersey has as yet no law providing for a uniform accounting system for municipalities.

²⁴ American Year Book—1913 Financial Statistics of States, p. 185 ff.

²⁵ Ibid.

in the community should be placed in charge of the county machinery.²⁶

The importance from a political and economic viewpoint of Hudson County may be more readily appreciated when we stop to consider the compact nature of its physical composition. The urban population of the county is continuous. There are in all, thirteen separate municipalities in the county and no one section of the whole could be regarded as a rural neighborhood. It is difficult for the outsider to ascertain where one municipality begins and where another leaves off. The county government is a sort of superstructure, and as such, rests upon numerous municipal governments. Each of these separate municipal governments, like that of the county also, is thoroughly active in all its branches, and there is a great amount of unnecessary expense to the taxpayers due to the duplication of municipal functions by the county and municipal governments.²⁷

There is, furthermore, much variety in the forms of municipal government to be found within the limits of this county. The largest municipality, Jersey City, has been under commission government rule for three years, having adopted the provisions of the Commission Gov-

²⁶ In a voters' directory published by the Citizens Federation of Hudson County in November, 1914, short sketches of each candidate for election were presented as follows:

SHERIFF

EUGENE F. KINKEAD (Dem.), 292 Harrison Avenue, Jersey City, where a resident for thirty-four years. Born in County Cork, Ireland, 1876. Education, Seton Hall College. Business, president Jersey Railway Adv. Co. and Orange Publishing Co.; secretary Miles Tighe Contracting Co. Has held position as alderman, president of Board of Aldermen of Jersey City and congressman for three terms. Points to his record and states that he would devote much of his time to the youthful prisoners in the county jail.

CHARLES A. MOHN (Rep.), 312 Division St., West Hoboken, where a resident for twenty-three years. Born in New York City, 1863. Educated Martha Institute, Hoboken. Business, plumbing, heating and roofing. Was councilman for one year and mayor for three terms in West Hoboken. Points to his record as Mayor of West Hoboken and as a business man.

²⁷ Essex county presents much the same duplication of municipal functions by the county and municipal governments. "See Counties of the First Class" by Winston Paul and H. S. Gilbertson, Proceedings Amer. Pol. Science Association, February, 1914, p. 292.

ernment Act of 1911 by popular referendum. Hoboken, and Bayonne have both recently voted in favor of commission government; thus at the present time the three largest municipalities in the county have commission government. Jersey City is a city of the first class, the other two municipalities are cities of the second class. All three have, until recently, been operating under the old charters which provide a governing body for each composed of a mayor and council.

West Hoboken, West New York, Union, Kearny and Harrison fall within the class of municipalities known as towns. None of these town governments overlap, and each one is operating under the general acts relating to town government.²⁸ Town governments are composed of an elective town council and a councilman-at-large, or mayor. The town council appoints the necessary administrative officers and enacts ordinances for the town government.²⁹ The town differs from the cities of the second class in only minor matters of government. The separate classification exists chiefly for convenience in regard to financial legislation respecting the municipalities.

In close relation to the towns are the townships, of which there are three in Hudson County. The towns and townships are entirely separate and there is no overlapping with other municipalities. The township governments are in the hands of a small elective council of three to five members. The chairman of the council is elected by the members; there is no office of mayor. Administrative officers are appointed and local ordinances are enacted by the township council.³⁰

There are also two boroughs in Hudson County, both of which are boroughs of first class.³¹ The boroughs, like the other municipalities, are bodies corporate with

²⁸ Laws 1895, page 223.

²⁹ Other elective town officers are the clerk, collector and the assessor. The appointive officers of the council are the attorney, treasurer, recorder, overseer of the poor, etc.

³⁰ The township council appoints an attorney, engineer, and physician.

³¹ Boroughs are divided into three classes; those having 3,000 inhabitants and over are of the first class.

power to sue and be sued. They are governed by a small elective council. The smallest unit of local municipal government in New Jersey is the borough; a New Jersey borough is the same as a village elsewhere.

This description of the component parts of Hudson County is not made with a purpose to magnify the local situation in comparison with other populous counties where cities and county are coterminous. The purpose is to emphasize the fact which has received the attention of political scientists of late, namely, that some readjustment must be made in counties where, just as in Hudson, the municipal and county jurisdictions have become coextensive.³² The situation wherever presented is one which calls for a readjustment of governmental functions between the county and the municipalities. In certain places law makers have abolished parts of the county structure and placed those remaining parts under the fiscal control, at least, of the city government.³³ This change has been made in counties where, like New York, the limits of the principal city have gradually spread over the whole county. In other places—a notable example is Alameda County, California—the problem of reform presents a somewhat different aspect, because there may be one, or several large municipal units within the limits of the one county. In such instances, any changes suggested must be along the lines of a federated city-county government, since no one city among the group can claim to have entirely supplanted the county.

Hudson County, in so far as it lends itself to recon-

³² Report of the City-County Committee, Proc. American Political Science Association, February 1914, p. 281. The Government of Alameda County, California. Annals American Academy Political Science, May 1913. Page 237. Bramhall, Cook Co. and Chicago, Proceedings A. P. S. A., Vol. 3, 1912. Hornell, The City and County in Mass., Proc. A. P. S. A., Vol. 3, 1912. Long, Consolidated City and County Government of San Francisco, same citation. A. Ludington, The Relation of County to City Government in New York, same citation. Woods, The Separation of City and County Governments in St. Louis, same citation.

³³ In the annual budget of the city of New York provision is made for the maintenance of five separate county governments which have been merged in the city.

struction falls within the latter class.³⁴ The strongest argument, however, for a reorganization of the county and municipal government rests principally on the ground of economy and efficiency. Money is being wasted each year by duplicating appropriations in the county and in each of the municipal budgets for many functions such as health, parks, police, etc.³⁵ The following table represents all appropriations for governmental purposes by county and cities for the year 1913:

TAXING DISTRICT	BUDGET	POPULATION
1. Jersey City	\$3,633,357.93.....	267,779
2. Hoboken	846,416.73.....	70,324
3. Bayonne	718,356.23.....	55,545
4. North Bergen	155,765.00.....	15,662
5. Secaucus	22,755.00.....	4,740
6. West Hoboken	220,272.74.....	35,403
7. West New York	164,938.56.....	13,560
8. Union	104,400.00.....	21,023
9. Weehawken	176,882.72.....	11,228
10. Guttenberg	41,300.00.....	5,647
11. Kearny	232,383.38.....	18,659
12. Harrison	112,899.07.....	14,498
13. East Newark	24,235.00.....	3,163
14. Hudson County	\$2,865,252.71.....	537,231

Since Jersey City, the largest municipality, covers one-half of the county, any consolidation of municipal and county government would have to take into account the other municipalities as well. It is generally recognized by those who are seeking to bring about a consolidation of county and municipal government in Hudson that consolidation of municipalities must come first.³⁶

Such a plan is supported by the press; the Jersey

³⁴ Essex County also is composed of a group of municipalities; but it extends over a greater area than its near neighbor.

³⁵ Of the two New Jersey Counties, the committee of A. P. S. A. says: "Your committee feels that this situation warrants the creation of a single county legislative body. In many cases this body could be created on the federal plan. It believes that the federal plan would be better than election at large because public opinion and scrutiny have already been focussed upon the mayors and elective officials of the city on the one hand and upon the elective officials of the township on other governmental unit representing farmers' interests on the other hand." p. 284, Proceedings, Feb. 1914.

³⁶ A law was passed in 1915 permitting a popular referendum as a means of getting an expression of public opinion on the question of a consolidation of municipalities.

Journal says: "Consolidation of the towns would be beneficial to them, but a general consolidation of the county into a single municipality would be the best thing that could happen in this direction. General consolidation would eliminate the freeholders and all their dependents and save one-half of the county expense and possibly one-half of the local government expense as well."³⁷ Again, "The North Hudson town would gain incalculably by consolidation. By reducing the number of governments a great many duplicate offices would be abolished."³⁸

Ex-Judge Robert Carey also advocates a consolidation of the municipalities as the first step. His plan of reconstruction amounts to an eventual consolidation of the municipal and county government into one large municipal unit.³⁹ He says: "A big step toward the desired end would be the consolidation of the North Hudson municipalities, with a charter similar to that now enjoyed by Jersey City. There would then be four such cities in Hudson and the amalgamation would be comparatively easy.....If the North Hudson towns should consolidate, there would be four big boroughs in our county available for consolidation in the big city of the future."⁴⁰ As a plan of government for the new city Judge Carey makes the following suggestion: "First, there could be elected every four years five commissioners at large. These five to constitute the executive and administrative board of the city. Second, each borough could elect a borough president. The borough presidents and the five commissioners elected at large could constitute the legislative board of the city. This would present a democratic system and an efficient system. The borough presidents could be made the deputy

³⁷ January 2, 1915.

³⁸ January 23, 1915.

³⁹ Letter to the Hudson Observer, Jan. 6, 1915.

⁴⁰ Hudson County naturally is divided into three sections popularly called North Hudson, South Hudson and West Hudson. By a consolidation of municipalities in each of these sections, the county would be composed of three or four large municipal units, instead of the thirteen at the present.

administrative officers for each borough and could be obliged to supervise and superintend matters strictly local to a borough.....Each borough president could be empowered to select a borough advisory board of three."

Such comments are indicative of a general movement for some kind of consolidation at least, which will eventually bring about one single government for the fourteen distinct governments in the county at present. The government of Hudson County at present is so complex and covers such a wide range of activity that it is the purpose of the following chapters to describe the county government in detail so as to show what the county government is, what it does, what it costs, and why it costs.

CHAPTER II

THE COUNTY SUPERVISOR

Whatever may have been the real purpose of the legislature in creating the office of county supervisor for the two counties of Hudson and Essex, the fact remains that, with its creation, the two counties benefited by the legislative action. Before the act of 1900 was passed there was no one official in the county to whom the public could look as the chief executive officer of the county.¹ Before the adoption of the act, there was no one official who had the power to direct the policy of the widely scattered and disjointed departments of the county government.² The act of 1900 gives to the county executive the power to supervise the county's affairs. The law states that he shall be the "chief executive officer of the county." Since the act was passed there have been few instances where the incumbent in office has actually utilized his full authority under the law. In the great majority of cases the county supervisor has scarcely risen above the controlling majority in the Board of Chosen Freeholders. Where he has asserted his strength, however, the results have been for the betterment of conditions obtaining in the county government.³

The act of 1900 provided for the election of the county supervisor by the voters of the county at large. At that time the Board of Chosen Freeholders was made up of a

¹ The sheriff of the county is still an important executive officer but his powers are chiefly ministerial as an officer of the courts. See Chapter 8, *Infra*.

² The Director of the Board of Freeholders was merely a presiding officer. *Infra*, Ch. 3.

³ For corroborative statement as regards actual experience in Essex and Hudson Counties see an article on "Counties of the first class in New Jersey" by H. S. Gilbertson and W. Paul, *Proceedings American Pol. Science Assoc.*, February 1914, p. 294.

large membership composed of representatives elected by the individual municipalities or by the political divisions of a municipality. The supervisor was placed in an unique position in thus being permitted to represent the county as a whole, and he soon became the most conspicuous figure in the county administration.⁴ The act of 1900 provides that he shall be elected for a term of two years and shall take office on the first Monday in December. He is elected at the general election in November. On assuming the duties of his office the supervisor must take oath to perform properly his legal duties, must give bond and file same with the county clerk. He may then proceed to notify the Board of Chosen Freeholders of his entry into office. The supervisor's salary is \$2,500 per year.⁵

The chief executive is required by law "to be vigilant and active in causing the laws and ordinances of the county to be executed and enforced."⁶ Under this provision the supervisor is charged solely with executive powers. He must see to the enforcement of all laws pertaining to the county government, and it is his legal duty also to see that all resolutions of the Board are enforced. Since many of the resolutions of the Freeholders create subordinate officers and prescribe official duties, it is the business of the supervisor to see that these are performed properly. In this, the law again comes to his assistance; it states that it shall be his duty "to exercise a constant supervision over the conduct of all subordinate officers, and to examine into all complaints made against any of them for violation or neglect of duty." Furthermore,

⁴For a period Hudson County had formerly a Director who was elected at large. The director's powers, however, were inferior to those of the present chief executive officer. *Infra*, Chapter 3.

⁵A bill was introduced in the legislature in February, 1915, to raise the salary of the county supervisor from \$2,500 to \$4,000. The Hudson Observer, commenting on the proposed increase, said: "It must be admitted that the Mayor, so to speak, of the great county of Hudson ought to get more than \$2,500 a year....If he gives all his time to the affairs of the county he could save the people several times the compensation which it is now proposed to give him. He is the worst paid official in the State." February 3, 1915.

⁶Laws 1900, Ch. 89.

"if it is found that any officer is guilty of the charges brought against him, the county supervisor may suspend or remove him as the case may seem to require."⁷ Thus the supervisor may exercise the important power of removal over the "subordinate officers." A few illustrations of the use of the power of removal may serve to show the extent of his authority.

In December, 1913, upon assuming the office, Supervisor James F. O'Mealia made an examination into the working force of the county, and, upon such information as he was able to obtain, communicated to the Board of Freeholders that he had suspended sixty-three of the county's employees. His reasons were set forth at length, but in the main the cause for suspension was, he stated, "failure to perform proper services," and because many of the positions were "unwarranted and an unnecessary expense to the county."⁸ He said, "I have found men classified as engineers who have absolutely no knowledge of an engine, also men classified as high class mechanics who have been doing nothing but roll ashes."⁹ The name of each employee, the title of his official position, the salary received, and the reason for suspension in each case were set forth in a detailed statement to the board.¹⁰

The action of the supervisor was approved by the Freeholders in a resolution providing, "That the recommendation of the County Supervisor, as to the abolishment of the several positions and offices named in the annexed list, be and the same is concurred in, and the said positions or offices be declared vacant, and the same are hereby abolished for the respective reasons given in each case by the County Supervisor."¹¹ While the conditions which the supervisor described were matters for the State Civil Service Commission to report and

⁷ Ibid.

⁸ Minutes Freeholders, December 1913, January 1914 et seq.

⁹ All county employees are classified under the State Civil Service Act of 1908. *Infra*, Ch. 7.

¹⁰ Minutes of Freeholders, January 6, 1913, page 8. The total salaries of those suspended amounted to \$57,360.00 per year.

¹¹ Minutes of Freeholders, January 6, 1913, page 8.

remedy, the supervisor was acting entirely within his rights in suspending all employees whose classifications under the county service did not correspond with the duties which they actually performed or failed to perform. The positions were unnecessary.

This action constituted a very important precedent in the application of the supervisor's power to suspend.¹² While it is true that in this instance all of the officers and employees suspended were holding "inferior" positions of service, it does not follow that the higher salaried officers who have been appointed and whose salaries are fixed by the Board of Chosen Freeholders, may not be included among "subordinate officers" whom the supervisor is permitted by law to suspend or remove.¹³

Suspensions and removals, however, cannot be made by the supervisor for political reasons because such action is forbidden by the provisions of the civil service act.¹⁴ But, for any "violation or neglect of duty," the supervisor may exercise the right to remove or suspend subordinate officers. The final interpretation of the law in this respect, however, is a matter to be reviewed by the courts. Since the supervisor has as yet made no adequate test of his power of removal it cannot be said that the courts have determined the scope of this power in any case coming before them. To exercise an intelligent supervision over all of the county institutions, offices and departments, the supervisor needs a subordinate agency in his office which will perform the same services in respect to examining departments at his bidding, as are performed for the mayor of the city of New York by the commissioner of accounts.¹⁵ Reliable data may in this way be had on which to base suspensions and removals. No case of removal for the want of data ought

¹² In this incident the supervisor went farther in exercising his full legal powers than any other supervisor preceding him had done.

¹³ It is interesting to note that at that time a county collector, who had been indicted and convicted for misappropriating the county funds, was permitted to fill out his unexpired term, without being subject to the power of removal, either by the state or by the county.

¹⁴ Laws 1908, Ch. 156.

¹⁵ See suggested Bureau of Efficiency, *Infra*, Ch. 7.

to be open to the charge that it was made for political reasons.

That the supervisor's power to suspend and remove officials may be crippled by action of the board of freeholders cannot be questioned. The board may approve or reject his recommendations as it pleases. In the instance to which reference has been made, the freeholders first "concurred in his action." In his message, the supervisor, in suspending the county employees had said, "You will therefore please notify all interested that such suspensions take effect at once **and for such time as the board of freeholders in their judgment shall deem necessary.**"¹⁶ Subsequent events proved that the freeholders would exercise their judgment, for they began to reinstate the discharged officials as soon as the supervisor had suspended them. Thus an opportunity was lost by the supervisor to make this incident a clear cut issue between the supervisor's power to suspend and remove officers on the one hand, and, on the other hand, the power of the board of freeholders to reinstate officers.¹⁷

It is to be noted in this connection that among the several executive and administrative powers of the supervisor, there is no authorization by law or ordinance for him to exercise the power of appointing officials. It has been the continued practice of the board of freeholders not to vest any appointments in him by an ordinance or resolution. Charged with the important functions of supervising the conduct of subordinate officers and of removing incompetent officials the supervisor not only does not exercise the power of appointment but may even be hampered in the discharge of his legal duties by administrative officers appointed by an antagonistic board of freeholders.¹⁸

¹⁶ Minutes Freeholders, Dec. 1913.

¹⁷ In the instance cited the Freeholders subsequently placed most of the discharged employees on the county payroll once more; and the Supervisor took no aggressive action to oppose their action.

¹⁸ Such a power of appointment was placed in the president of the board in Cook County by a law of 1893. Fairlie; Local Government, p. 79.

It may be laid down as a political maxim that administrative officials, administrative boards, and commissions should be appointed by, and held responsible to one central executive authority. Thus, in the city of New York, the mayor appoints the heads of departments and the members of boards and commissions of city administration. Also in the state of New Jersey the governor appoints important administrative officers; some appointments are authorized by the constitution, others by statute. Since experience proves that such a system makes for efficiency in administration, it would seem that the chief executive of the county should not constitute an exception to a principle which is so widely recognized and approved. He should be given the authority by law or by ordinance to appoint—or at least to initiate the appointments of—the administrative officers of the county government; at present he may not even initiate appointments.¹⁹ Section 3 of the act of 1900 provides that the county supervisor is empowered “to perform all such duties as may be required of him by law or ordinance.” It thus appears that it was intended that certain duties be conferred upon him by resolution or ordinance regularly passed by the board of freeholders.²⁰

Besides performing powers of an executive and administrative nature the county supervisor may exercise certain legislative functions in connection with the board of chosen freeholders. The law gives him the power to advise legislative measures and to veto resolu-

¹⁹ The freeholders initiate all appointments and these are confirmed by resolution passed by that body. How the supervisor's power is crippled can be illustrated by an incident in the organization of the present board of freeholders. This board, acting in accordance with a law which had been repealed, appointed the chief administrative officials at their final meeting in December, 1914. The supervisor who had just taken office was not consulted in selecting the officials and could do nothing but veto the resolution. This was promptly passed over his veto.

²⁰ It is interesting to note that the freeholders have made little use of the supervisor as an administrative official of the board. The tendency has been to place administrative powers in the clerk to the board of freeholders instead.

tions.²¹ Supervisor O'Mealia during his term of office (1912-1914) made frequent use of the right to send recommendations to the board of freeholders, and his messages supplied officials with much information for their guidance and served to command the attention of the public as well.²² The message and reports of the county supervisor are usually the best sources of general information; they give an account of the general conditions of the county and recommend needed changes in all branches. Much importance is therefore to be attached to these messages for they serve to enlighten citizens, taxpayers, and public officials generally on county affairs. In the hands of an aggressive and trustworthy chief executive the right to send messages and make recommendations can be utilized to the fullest extent in improving the county government.

The county supervisor may initiate legislation in presenting to the board a resolution duly drafted, with an accompanying recommendation for the adoption of the same. While this course is not expressly made a part of the supervisor's duties by law, it has nevertheless been followed on several occasions since the office was created. A recent precedent may be noted; at the meeting of the freeholders in February, 1913,²³ the supervisor submitted an ordinance relating to the opening of county roads; this was received and duly passed as a resolution of the freeholders. At the same meeting the supervisor submitted another resolution which he explained had been drafted at his suggestion by the county counsel. This resolution likewise was passed.

The supervisor may veto any resolution or ordinance

²¹ The Act of 1900 Ch. 89 Sec. 2, provides that "he may recommend the board of chosen freeholders to pass such measures as he may deem necessary or expedient for the welfare of the county, and it shall be his duty to communicate to the board of chosen freeholders at their first annual meeting in each year and at other times when he may deem it expedient, a general statement of the condition of the county in relation to its government, finances, institutions, and improvements, with such recommendations as he may deem proper."

²² See the minutes of January 4, 1914, for one example.

²³ Minutes of February, 1913.

passed by the board of freeholders.²⁴ In Hudson County the veto power of the supervisor is not as effective as it would appear to be from the terms of the law. This is because the board of freeholders, as constituted under the present law, are all elected by the same political party.²⁵ It is not frequent that the supervisor and freeholders disagree and when any disagreement does arise, a two-thirds majority will usually be found to pass the resolution over his veto. If the board of freeholders were elected in such a manner as to permit minority representation, its composition would as a result be more evenly divided politically. In that event the veto power of the supervisor might serve a more useful purpose than it now does, due to the present system of electing freeholders.

It is possible, however, for the supervisor to exert a certain amount of influence over the board by means of his right to veto resolutions. While he may not veto items in the tax budget he may veto it as a whole; and with a factional strife raging within the board at the time of its adoption, he may cause a temporary deadlock in the financial system.

Through his veto power the supervisor also may act as an auditor in approving or disapproving claims against the county which have passed the board of freeholders. Many of the claims are for supplies which have been furnished under contract; but besides these there are many other claims, which, unfortunately, are for supplies which

²⁴ Laws 1900, Ch. 89, Sec. 4, provides that "Every resolution or ordinance passed by the board of chosen freeholders, duly certified by the director, . . . shall be submitted to him by the clerk of said board; if he approve it he shall sign it, if not he shall return it with his objections, and file it with the clerk of the board of chosen freeholders within ten days after receiving it, and the board of chosen freeholders shall, at its next meeting thereafter enter the objections at length on the minutes of the board and shall proceed to reconsider the same, and if two-thirds of all the members of the board of chosen freeholders agree to pass the same, it shall take effect, but in every case the vote shall be taken by yeas and nays and entered in full on the minutes of the board; and if such ordinance shall not be returned within ten days as aforesaid, it shall take effect in like manner as if the county supervisor had signed it."

²⁵ That is, they are all elected at large. *Infra*. Ch. 3.

have been ordered under an indiscriminate practice in vogue called "requisitions." In allowing the latter class of claims there is need for a close scrutiny and the supervisor may act as an auditor if he is disposed to give a close application to the duties of his office. The freeholders should empower the supervisor to audit individual claims presented under the requisition system, and should be governed by his action in so auditing.²⁶

The annual report of the county supervisor for the year 1914 contained statements which concerned respectively, the financial condition of the county, the conditions at the county institutions, and the public improvements in progress. It also contained individual reports from the superintendents of the several institutions and from the more important administrative officers of the county. While the law does not expressly state that the supervisor may require annual reports from all administrative officers and departments of the county, he may request departments to submit such reports, as incidental to the legal obligation resting upon him to communicate and make recommendations to the board of freeholders.²⁷

As an illustration of the possibilities existing in the supervisor's extra-legal powers, we may cite the recent example of his calling on an official who is directly responsible to the state rather than to the county. Thus in 1913 Supervisor O'Mealia presented for the first time a complete and authentic valuation of all property of the county. This report was based upon the expert valuations of the secretary of the board of taxation who is not, properly speaking, a county official. In this way the supervisor was able to present a statement of the county's assets and liabilities, and the estimated surplus existing.

It can be said, furthermore, in conclusion, that the county supervisor presents a very potential agency for

²⁶ *Infra*, Ch. 9.

²⁷ As yet there have been issued few detailed reports of county officers and departments. Among such prominent omissions may be found, the register, surrogate, clerk, sheriff, counsel, attorney, overseer, boulevard commission and county engineer. *Infra*, Chapter 10.

effecting a proper simplification of the county's governmental machinery. He is the sole officer who is charged with looking after the affairs of the county in general; and, by reason of his general information and broad knowledge of the county's affairs, he is in a position to make recommendations which command respect and attention. No other county officer possesses such a wide survey of the county institutions, finances, offices and departments. The supervisor, furthermore, may suspend and remove subordinate officers of the county. He may audit claims, may veto all resolutions including even the tax budget; he may direct public attention to points of weakness in the county administration. But while these powers may become formidable in the hands of an aggressive supervisor, there are certain functions of the office of supervisor which permit further development. He should be given the power to appoint all administrative officers now appointed by the board of freeholders. In this way responsibility may be further centered in the supervisor and he may thus become the central directing force of the county administration, and serve in the relation of business manager to the county.

CHAPTER III

THE BOARD OF CHOSEN FREEHOLDERS

The county board of chosen freeholders, as a political institution in New Jersey, dates from an early period in the history of the state.¹ We have seen that the mixed town and county system was established during the colonial period, and that each town was given representation on the county taxing boards. The early town government in New Jersey, as in New York, did not become so firmly established as did the town system in the development of local government in the New England colonies. County boards were created in New Jersey late in the seventeenth century, and each town was given representation on the county boards from the start. Fairlie tells us that, "In 1693 provision was made for the election of town assessors to assist the justices in each county in the assessment of taxes; and from these were developed the county boards of chosen freeholders."² The New Jersey system was in most respects similar to that of New York. The county boards levied the county taxes, made appropriations and controlled all expenditures.

As the towns grew to be more numerous and the counties more populous, the boards of chosen freeholders soon became larger and eventually cumbersome. Each municipality was at first given equal representation; but their growth in the course of time became so uneven that the larger cities were soon given representation in proportion to their population. Thus Hudson County in 1902 when the first reform act was passed, was governed by a board composed of local representatives from

¹ *Supra*, Ch. 1.

² Fairlie, *Local Government in Counties, Towns and Villages*, p. 29.

every one of the thirteen municipalities in the county; in 1910 the board numbered thirty-one members; Jersey City, the largest city in the county, held twelve representatives elected from the city wards.³ Such a large body was wholly irresponsible for the proper conduct of the county's affairs and it is little to be wondered that important functions of administration were placed in special commissions which the legislature preferred to create for the purpose, rather than rely on the board of freeholders to administer. With the creation of each commission the boards of freeholders were deprived of a part of their control over the county expenditures.

New Jersey accordingly learned from experience that the large and unwieldy county boards of freeholders were inefficient and that there was need for their reorganization. The representative feature was correct in theory but developed practical difficulties that were insurmountable. Eventually an act was passed in 1902 which would permit any county in the state to reorganize its board of freeholders. This act was adopted in a number of counties by popular referendum; under its provisions any county might vote to reduce the number of elective freeholders and to set up a smaller board. Legal difficulties arising subsequently in the application of this act, however, made it necessary for the legislature of 1912 to enact a new law, and this act is the one under which the present board of freeholders in Hudson County is operating.⁴ Formerly the board of freeholders in Hudson County divided its work among twenty-one separate committees; now there are only nine. Formerly these committees were composed of from four to six members; now there are three members on each committee. It may be said speaking generally that conditions in the county administration have been improved since the re-

³ The county board in Hudson was larger than the State Senate and about one-half as large as the Assembly.

⁴ Laws 1912, Ch. 158. The former act of 1902 was not adopted in Essex County until 1910. At this time a conflict arose between the act of 1902 and the civil service act of 1908. For details in this matter see Civil Service Report 1914, p. 241.

organization of the board under the new law. Individual members have given more attention to their public duties, and an improvement in the care of the county institutions is worthy of note. Public attention has been centered more upon the county government in Hudson County since the reorganization of the board of freeholders and these officials in turn have felt their responsibility to the whole county instead of to any one city or municipality.

In certain respects, however, the conditions obtaining under the old plan are still to be found. One of the arguments in favor of a small board of freeholders instead of the large body was that, with a few members, the new board would become more like a deliberative body. Experience has been the reverse. Members seldom, if ever, discuss matters of policy in the regular meetings of the board.⁵ Being a small board it is convenient for them to meet in secret session, create positions and fix appropriations before proceeding with the regular meeting, which by law is open to the public.⁶ The stated monthly meetings are still uninteresting and unattractive to the citizen, and as such, they tend to discourage rather than encourage him, should he entertain the least desire to become interested in the affairs of his county government.

In Hudson County the board of chosen freeholders is composed of nine members; three freeholders are elected at the general election in November of each year. Nominations are made by petition and general primary in October; freeholders must be citizens and residents of the county.⁷ They receive a salary of \$1,500 a year. Under the 1912 act their term of office begins the first Monday in January, and at their first meeting in Janu-

⁵ See supervisor's message, Jan. 5, 1915, on the practice of holding secret meetings.

⁶ It has been pointed out that, under the present plan of electing members at large, the board contains no members representing the minority party in the county, such as might be the case were the freeholders elected from districts, or by some plan of minority representation.

⁷ Ordinarily freeholders in Hudson County have been tradesmen. Few professional men have been candidates for the office.

ary they are required to organize for the coming year. At this meeting the new members are sworn to perform their duties faithfully, and a certificate of their election from the county board of canvassers and the county clerk is filed in the minutes of the board.

The first step in the organization is the election of one of their members to the position of director. For a number of years the director of the board of freeholders in Hudson was elected at large.⁸ This fact gave the office a certain distinction and a degree of influence in addition to its ordinary legal aspects, and as a consequence, it suggested to some extent the creation of the present office of county supervisor.⁹ Formerly the director exercised the right to veto resolutions and to make recommendations to the board of freeholders. At present his duties are to act as presiding officer of the board, to vote on resolutions as the other members do, and to appoint the standing committees of the board. Due to his power to appoint the several committees, the office of director becomes important to those who wish to control the board, determine its policy, and secure the choice committee chairmanships.¹⁰

Rules of procedure are formulated by the committee on rules appointed by the director. Since the board of freeholders is not a deliberative body to any great extent, there is no need for an elaborate set of rules. However, such rules are needed as will require that all meetings of the board be at stated times, that all committee meetings be open to the public and be held at stated times, and that all claims against the board be presented according to prescribed forms and filed at stated times previous to the monthly meetings. All resolutions are required to be passed in due form at the regular meet-

⁸ From 1875 to 1885.

⁹ Formerly in Kings County,, New York, a supervisor elected at large presided over the county board of supervisors and exercised the same functions as the director in Hudson County. Goodnow, *Administrative Law in the United States*. 192 n.

¹⁰ The finance committee is the most important of all.

ings. All such requisites as the above are matters for the rules to state.

The standing committees of the board of freeholders which are appointed by the directors are the following:

1. Finance and Audit: Appointed to supervise and audit the expenditures of the county institutions, boards, commissions, bridges, officers, etc.
2. Public Grounds, Court House and Jail.
3. Bridges, including North, South, and West Hudson Bridges.
4. Public and County Roads.
5. Alms House.
6. Insane Asylum.
7. Penitentiary.
8. Tuberculosis Hospital.
9. Miscellaneous: To supervise and audit the expenditures for stationery and printing, elections, storehouse, stables, courts, coroners, and morgue keepers' fees, veterans' burials, etc.

The election of a director is followed by the election of a clerk to the board. The clerk of the board of freeholders in Hudson County receives a salary of \$5,000 a year.¹¹ Certain duties of the clerk are prescribed by statute and certain others are assigned to him by resolution or ordinance of the board of freeholders. He is the most important administrative officer of the board. He keeps all records of the proceedings of the board, acts as receiving officer, signs disbursing warrants on the county collector, advertises for bids on bond issues, construction contracts, etc., and performs numerous functions which are not to be found prescribed in any one statute of the legislature or in any one resolution of the board of freeholders.

His principal duties, therefore, as prescribed by law

¹¹In Essex County the clerk of the board of freeholders receives a salary of \$1,200 a year. In that county, however, the position of clerk of the board has not been developed to the same extent as in Hudson County. This may partially be accounted for by the fact that the clerk of the board in Hudson performs certain functions which belong to the auditor in Essex. For this explanation I am indebted to Mr. Walter O'Mara, clerk of the Hudson County board of Freeholders.

are, "to keep the minutes and enter the orders and proceedings of the corporation in a book to be kept for the purpose" and to "have custody of the common seal, and the papers, deeds, writings, documents and books relating to the said corporation;" also to "perform such services in keeping the records and minutes of the several committees of said corporation as the corporation shall prescribe, which duties, or any of them, may be performed either by the said clerk in person or by his deputy for that purpose appointed."¹² There are two assistant clerks of the board of freeholders and a number of general clerks under the direction of the clerk.¹³

All resolutions or ordinances must be presented by members of the board of freeholders. They are numbered consecutively and spread upon the minutes of the board. All resolutions are indexed by number only; this is the only means by which resolutions and ordinances may be referred to and consulted. Since many duties of administrative officers of the board of freeholders are prescribed in the scattered resolutions, it would seem that some compilation of resolutions and ordinances should be made. In this way a more definite idea of the exact duties might be ascertained of every county official whose appointment rests with the board. Since compilation of city ordinances is a necessity it would seem equally advantageous if all resolutions of the county board were compiled in convenient form.

Resolutions are drafted by the county counsel as a rule, and introduced by the chairman of some one committee. Reports of institutions and officers are entered from time to time in the minutes of the board and, furthermore, all matters which require some action by the board. A great amount of information concerning the government of the county can be obtained from reading

¹² Compiled Statutes New Jersey, p. 476-7.

¹³ What relation these clerks hold to the supervisor is not definitely settled. It would seem that they are responsible to the clerk of the board of freeholders who in turn is directly responsible to the board. Whatever control over them the county supervisor has is due to his power to suspend or remove subordinate officials. (Supra, Chap. 2.)

through the minutes of the board of freeholders for any one year or two.

Besides selecting the director and clerk, the board of chosen freeholders is required by law to select the county counsel, collector, county physician, superintendent of the alms house, warden of the penitentiary, and superintendent of the insane asylum.¹⁴ Other important administrative positions besides these mandatory officers, are also filled by the board. These comprise the appointment of a county engineer, county overseer, county investigator, and various other officials, physicians, etc. Much latitude is given the board in creating new positions. It may appoint "such other officers and agents for the transaction of the county business as may be determined by resolution of the board."¹⁵ Such discretionary power to create officers is sometimes abused and appointments are often made for political reasons where the services of highly skilled men are called for.¹⁶

When it is attempted to give a summary of the powers and duties of the board of chosen freeholders there is no one document to which the inquirer may turn. The duties of the board are prescribed in many statutes. They are even more widely scattered than are the statutory powers and duties of the city and other municipal authorities in New Jersey. The county government does not rest on a charter and in the absence of such charter, the only recourse which the student may possess is the laws.¹⁷ These are unsatisfactory guides to the average person for the reason that they are so numerous and in many cases so unrelated that one can with diffi-

¹⁴ *Infra*, Ch. 4 and 5.

¹⁵ Laws 1900, Ch. 89, Sec. 6.

¹⁶ In January 1915, the board appointed a saloon keeper to the position of superintendent of bridges. The civil service commission decided that the position was competitive and required an examination thrown open to all competitors. In *McKinley v. Freeholders*, 29 E. 164, it was held that a court of equity had power to enjoin fraudulent or unlawful appropriation of money by a board of freeholders.

¹⁷ See topic "Chosen Freeholders" in *Compiled Statutes of N. J.* 1910; also the *New Jersey Laws of 1910-15*.

culty locate exactly the defects in the county administration and fix responsibility.¹⁸

A general grant of powers to the county board of freeholders was made by the legislature in the act of 1844.¹⁹ This law provided that "the said boards of chosen freeholders. . . . shall be able and capable to acquire, purchase, receive, have and hold any lands, tenements, hereditaments, goods, and chattels in trust to and for the use of their said counties respectively, and for such other uses as are, or may be designated by law, to sue or be sued, implead or be impleaded. . . . and to ordain, establish and put in execution such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of their respective corporations; provided the same are not contrary to the constitution or laws of this state."

This act as revised in 1877 still remains the most general grant of legislative and administrative powers of the county board of freeholders. Since its enactment, however, the legislature has more rigidly enumerated the powers which it has conferred on the county boards, until the "home rule" features of the earlier act are at present almost nil.²⁰ The freeholders exercise a general control over the county's affairs. They pass ordinances and resolutions for the management of the county buildings, institutions, roads, bridges and highways. They may supervise the construction of county buildings, highways and bridges. They make appropriations for all of these functions and supervise the expenditure of the money appropriated by them, except in certain cases. They may issue bonds and establish sinking funds for the amortization of such bonds. They may appoint administrative officers, and other county employees, fix their salaries, and determine their duties by resolution or

¹⁸ Under a recent amendment to the California Constitution certain counties, notably Los Angeles, have framed their own charters.

¹⁹ See also Laws 1849, revised 1877, Compiled Statutes N. J., p. 474-5.

²⁰ A general grant of local ordinance powers to counties occurs in the Michigan Constitution. In that state the governor may veto any county resolution which contravenes a state law of the state constitution. See Fairlie in Am. Pl. Sc. Rev., Feb., 1910, p. 122.

ordinance; and they may remove such officers and employees. As it will thus appear, a great part of the duties of the board of freeholders constitutes legislative functions.

However it is clear that the board of freeholders cannot be called a legislative body exclusively; it has administrative functions as well. Under its general power to enact ordinances it becomes a legislative body, but in the management of large charitable and penal institutions and other important branches of county government it performs administrative functions. Committees of the legislative body become commissions of administration, each having a separately assigned task. All acts and commissions of administration must be ratified by the board of freeholders sitting as a legislative body. The individual freeholders thus serve in a dual relationship.

Furthermore, in the matter of finance they act in a double role. As legislators they may adopt the annual appropriation resolution and as administrators they may expend its funds on the several branches of the county government. This practice of combining appropriating and spending functions in the one county board has been completely changed in several states because it has opened the way to extravagance.²¹ In such instances, the appropriating powers have been taken away from the county governing boards. In Hudson County, however, the board of freeholders has been deprived of its control over the expenditures of county appropriations only in the case of those functions which have been placed in the charge of special boards and commissions. Generally speaking, therefore, the board of freeholders in New Jersey exercise both the appropriating and the spending powers, the exceptions being found in the larger counties,

²¹ A county council was created in Indiana in 1899 which meets annually to make all appropriations. This body is separate from the board of commissioners which retains the right to expend the funds appropriated by the county council. See article by John A. Lapp, *Annals Am. Acad.* May 1913, p. 248.

just as in Hudson, where special commissions have been created.

Different opinions are held as to what changes in the structure of Hudson County government are necessary in order to make it simple, direct and efficient. A plan which has been partially adopted and which represents the general tendency in recent legislation for the county, may be designated as the "legislative plan." According to it the powers of the freeholders are not to be increased. It proceeds on the assumption that the board is incompetent to assume more power and responsibility as an administrative body. It is pointed out that experience with the board in the past does not warrant, for example, that the county park system would be maintained by the board with the same high degree of efficiency as characterizes its present administration under a separate commission appointed by the judge of the Court of Common Pleas. A committee of freeholders would not be a proper substitute for the latter body, so it is argued. Upon this theory the legislature has placed certain important administrative functions of the county in the charge of special commissions. The chief objection to this theory is that responsibility in county government must be centralized, rather than divided, if proper control is exercised over all departments.

The question of reconstructing the county government is approached from an opposite point of view by those who would perpetuate the county board of freeholders and increase its powers. Abolish all unnecessary commissions and place their powers in the charge of the board of freeholders, it is advocated.²² Those who affirm the competency of the freeholders to take over these functions, contend that the county board of freeholders

²² Previous to the election of assemblymen in 1913 the Citizens Federation secured an affirmative pledge from all candidates in respect to the following question: "Do you favor the abolition of the County Board of Health, the Boulevard Commission, the Mosquito Commission, the Park Commission, the County Building Committee and the transference of their powers back to the board of Chosen Freeholders for the simplification of the county business and the concentration of responsibility?"

does not under the existing arrangement have sufficient control over the administration of the county's affairs; that the power to spend the funds appropriated each year should be controlled by the board of freeholders, and not be divided among separate administrative bodies, each exercising the right to spend in its own discretion the appropriation allotted to it. This very system, or lack of system, as it is described, is the chief reason for the increasing county tax rate and the increasing burden of the county appropriations. Such special commissions are attacked in general as violative of the principle of "home rule."²³

If experience under city government suggests any one solution in discussing our irresponsible county government, it is that the number of local elective officials should be reduced and all responsibility placed in one small board which is elected by the people. This solution, as applied to county conditions in Hudson, is very near to the commission plan. Commission government for Hudson County would be getting back again to first principles. As we have seen, formerly the powers of levying taxes, appropriating and spending county funds in the New Jersey counties resided in one county board. In this respect the former system, therefore, was not unlike the modern commission plan of government for cities. In both systems the significant feature is the combining of the tax administration, the appropriating power and the spending power in one small board. One feature which has appeared more recently in connection with the modern commission plan is lacking in the former local county board; there was no provision for a manager. If the principle of commission government and city manager were applied to Hudson County the new county manager would find a counter-part in the

²³ The supervisor in his message of January 6, 1913, said: "These commissions are robbing the people of Hudson County of the right to govern themselves. I believe in home rule for Hudson County and the quicker we have it the better the people will appreciate it and they can hold their representatives responsible for an economical administration of county affairs." *Minutes of Freeholders*, January, 1913, p. 7.

present office of county supervisor. There would be one exception, however, the supervisor is an elective rather than an appointive official.²⁴

²⁴ See appendix for diagram of county manager plan, recommended by the New York State Short Ballot Association for county government in the State of New York.

CHAPTER IV

FUNCTIONS OF THE BOARD OF CHOSEN FREEHOLDERS. COUNTY BUILDINGS AND INSTITUTIONS.

The first and most important of the public buildings under the supervision of the board of freeholders is the county court house. This building is directly under the control of the superintendent of buildings and grounds who is appointed by the board of freeholders. His salary is \$4,000 a year.¹ In addition to appointing a superintendent, the board of freeholders has made it a practice to appoint all caretakers and assistants. These positions are now so numerous and responsible supervision over them is so difficult to maintain, that the superintendent of buildings and grounds is limited in the opportunity to make his office efficient. All court house employees should be appointed by the superintendent and be responsible to him directly. Instead, the court house employees feel their responsibility to the board of freeholders which appoints them and determines their salaries.²

The Hudson County court house is the most pretentious and costly public building in the State of New Jersey. It was constructed by a committee of the board of freeholders in 1910-11, and is an example of extravagance in the county government which may be attributed in part to the irresponsible committee system under the large board of freeholders, and in part to the lack of popular interest in the county government in general. No better illustration could be taken from the

¹ The court house is valued approximately at \$3,000,000.

² The cost to the county of this irresponsible system is about \$68,000 a year, which amount is necessary to pay the salaries of the caretakers of the court house. Although the services of the superintendent are invaluable, the county is deprived of their full benefit due to interference by the board of freeholders.

history of the county to prove the necessity for a constant watchfulness by the citizens over the county officials whom they have entrusted with office. Officials must be made to feel their responsibility to the public rather than to the few political workers who may aid them to secure an election. The interests of the public demand economy in the construction of all public buildings, but it often happens that those who are exercising temporarily the authority to conduct large works of construction, are men who have had no experience in handling large affairs in private business. They are irresponsible in a large degree for the tasks confronting them.

The history of the Hudson County court house investigation is too lengthy to permit of any detailed narration in this work.³ The court house was built under the authority of an act of the legislature of 1901. By the provisions of this act a committee of three members of the board of freeholders were appointed by the director and was authorized to purchase lands or secure same by condemnation proceedings for the erection of certain county buildings. The committee was known as the County Building Committee. This committee was authorized to appoint a counsel and an architect and proceed with full powers to supervise the erection of a court house and such county buildings as in their opinion were needed. The only limitation on the power to expend money was the indefinite provision in the act that the total expenditures should not exceed four-fifths of one per centum of the county ratables. The possible scope of the expenditures involved in this act was not realized by the public at the time of its enactment.

The President of the Citizens Federation of Hudson County has said:

"At the time this law was enacted the percentage of ratables allowed an expenditure of \$1,580,000, which was estimated as ample. Before contracts were let, county ratables had increased to the ex-

³The investigation has been published in full and is contained in "The Hudson County Court House Investigation," Four Volumes.

tent that the commission had \$7,500,000 to spend simply because the law allowed it. Without any consideration of the economical ability of the county or the necessity of the case, the commission proceeded to spend the money in a lavish and extravagant manner. If it had not been for the energetic work of a committee of citizens, followed by the work of the Citizens Federation, the commission would no doubt have spent \$7,500,000, which under steadily increasing ratables, would have been at its disposal."⁴

The committee of citizens mentioned in the above was formed as a result of popular indignation over the proposed cost of the court house and over the possibility of further extravagance if the county building committee were permitted to proceed with the construction of a county jail and a hall of records. The committee of citizens became known as the Court House Investigating Committee.⁵ The work of investigation was carried on at a cost of much labor and expense to the members of the committee, all of which, however, did not check them in performing what they regarded as their duty to the citizens of the county.

An analysis of contracts and expenditures was presented, which showed a total cost of the building of \$3,328,016.56. The original estimate of the architect had called for a total expenditure of only \$990,000.00. The causes for the excessive price were set forth in detail by the committee. As illustrative of their methods of carefully scrutinizing all expenditures, the following quotation from their report is of interest.

"Perhaps the most flagrant and clearly established instances of overcharge are those connected with the wood and metal furniture supplied under contract of John Gill & Sons, at unit prices. The lumping together in a single contract, of articles so incongruous as mural paintings by eminent artists, metal and wood furniture, and cuspidors, could have no object beneficial to the county. It is shown by experts employed by Mr. James Cameron that the true value of the wood furniture, allowing a fair profit, is \$19,488.00, whereas the county paid for same, under the unit prices, \$36,883.00, an excess over the true value of \$17,395.00."

⁴ Statement of Mr. Palmer Campbell in a prospectus sent out by the Citizens Federation of Hudson County.

⁵ See report of the Executive Committee, May 10, 1911, signed, James E. Pope, Charles L. Carrick, Felix E. Tumulty, Nelson J. H. Edge, Glamor Allen, Mungo J. Currie, George J. McEwan, Edw. P. Reichhelm.

Many other such illustrations were cited in the report of the executive committee of which this one statement is but an example.

The old county building committee was brought to an end by an act of the legislature in 1911. A new commission was created to which members were to be appointed by the Justice of the Supreme Court. The act directed the new County Building Committee "to proceed speedily to complete and finish all acts and things unfinished in the erection and furnishing of said court house and other buildings." Under the operation of this act the commission paid off the claims against the former county building committee growing out of the court house contracts. The authority to construct the proposed county jail has now reverted once more to the board of freeholders. In 1914 a special act of the legislature was passed which permits the board of freeholders to acquire land for, and to supervise the construction of a new county jail. This act, however, does not give any authorization to the freeholders to proceed with the proposed hall of records which the old county building committee had under consideration at the time of its dissolution.

THE COUNTY JAIL

The county jail is under the direct charge of the sheriff. Section 1 of the act of 1894 provides, "that the sheriff in all the counties of the first class in the state shall have the custody, rule, keeping and charge of the jail or jails within such county, and of the prisoners in such jail or jails, and shall be responsible for the conduct of any keeper whom he shall appoint for the same."⁶ The warden and all other employees of the jail are appointed by the sheriff but their appointment must be approved and their salary fixed by the board of chosen freeholders. The sheriff is responsible for the conduct of the warden but he cannot remove him, since it has been decided that this position comes under the

⁶Laws 1894, p. 534. In Cook County, Ill., the sheriff acts also as superintendent of the several court buildings.

provision of the civil service act.⁷ The sheriff is held responsible for safeguarding of prisoners, in the county jail.

The expense of maintaining the jail is provided for by the board of freeholders. While the sheriff is now paid a fixed salary instead of by the fee system of former years, he still receives 15c a day for every prisoner and \$1.00 a day for every witness held, and every person detained under observation pending an insanity inquest.⁸ These bills are allowed by the board of freeholders and paid by the county collector. The total salaries of the jail employees amount to about \$20,000 a year. The average daily number of prisoners in 1914 was about 200. This number is partially accounted for because of the lack of a house of detention and of a parental school for the care of wards of the juvenile court. In January, 1915, it was found that about twenty-five boys under eighteen years of age were confined in the county jail for various offenses.⁹

It is to be noted, therefore, that the present county jail is used for the confinement of several classes of dependents which have come to be recognized by most authorities in correctional work as requiring separate institutional care. In speaking of the practice of sending insane patients to the jail for examination the county physician, Dr. George King, in his annual report to

⁷ The court of Errors and Appeals has decided that the provisions of the Civil Service act restrict the sheriff in removing the warden of the county jail. The court says: "It is a self demonstrative proposition that the warden of a jail during the three years of his incumbency of that office acquires by experience valuable knowledge and efficiency.He is more valuable in the public service than one who has not had the experience. There is nothing in the civil service law which prevents the discharge of an employee who may be guilty of incompetency or official misconduct upon charges made after a hearing. The general design of the act was to put such positions beyond political control, partisanship and personal favoritism, in order to secure to the state and county the best public service." See a discussion of this decision in the *Annals of the American Acad.*, May 1913, p. 101.

⁸ The present county collector contends that the sheriff is not entitled to such fees in excess of the actual cost to him of the board of prisoners. *Jersey Journal*, Jan. 30, 1915. For a full discussion of this point see *Cameron Report*, p. 81 ff.

⁹ Statement of the Judge of the Juvenile Court, January 27, 1915. *Jersey Journal*.

the board of freeholders says: "We wish to emphasize the fact that the stinging remembrance of one who has committed no crime, but on account of his mental derangement has been compelled to spend some days in the county jail, is an unjust, unkind and unfair treatment for one in his state of mind."¹⁰ Accordingly the county physician requests that provision be made in the county jail for a separate psychopathic ward for the examination of insanity cases.

Much criticism has been directed of late to the county jails as correctional institutions. Mr. Clarence L. Stonaker, Secretary of the New Jersey State Charities Aid Association, remarks: "The ideal is a detention jail of separate rooms for each person awaiting trial, and a distinct and separate workhouse for all persons sentenced by the courts."¹¹

In the same connection, Mr. Orlando F. Lewis, Secretary of the Prison Association of New York, has said, that "In comparison with the ideas of modern penologythe county jail is hopelessly backward."¹²

Authorities are in agreement furthermore that the jail is not a proper institution for persons who must serve out a sentence of any length of time. The real need is for the county to provide opportunity for industrial or agricultural occupation at all institutions which are used for term sentences. Complete separation of persons held for trial from those convicted and serving sentences is demanded on the principle of humanity; it is in line with the best of modern thought on the subject of prison reform. A house of detention would seem, therefore, to be the best substitution generally for the county jail. The need for such a substitute, appears most urgent whenever the jail is used chiefly to detain witnesses for the courts and persons who are awaiting to be committed to the county or state institutions.

¹⁰ Report of the County Physician, Minutes Jan. 1914, p. 73.

¹¹ Report of the State Charities Aid Association 1913. See Legislative Doc. 1913.

¹² Address before a conferepce on county reform in New York City 1914.

COUNTY INSTITUTIONS: INSANE ASYLUM

Responsibility rests more heavily on the board of chosen freeholders in the care of the insane, perhaps, than in any other of the more important branches of the county administration. This is due to the absence in New Jersey of a definite state policy in the care of curable and incurable insane. The county is still the political unit which is charged with this important administrative function.¹³ As a result, there is a great lack of uniformity in the several counties which have institutions for the care and treatment of insane persons.

The contrast thus possible in two adjacent counties may be observed in comparing the two counties of the first class. In Essex County, for example, there is one of the most expensive, elaborate and complete institutions for the care of insane persons that can be found. This institution houses and provides modern treatment for 1,800 patients at a cost to the county of about \$450,000 annually.¹⁴ In Hudson County, however, an institution for the insane is maintained which was originally built to accommodate 250 patients, has since been remodeled to care for not more than 350, but is used at present (1915) to care for 800 patients.¹⁵ If one county has gone to the extreme in the matter of expense the other has not measured up to its responsibilities in providing adequate care and treatment for insane persons.

In Essex County provision is made for the best and most modern medical attention and industrial equipment for the care and wholesome employment of the insane. In Hudson County the medical treatment is almost entirely lacking. The 800 patients are idly confined throughout the greater part of the year without adequate provision for outdoor exercise or such employment as would seem necessary for their mental improvement. The latter institution is in short an old fashioned custodial

¹³ In New Jersey there are only two state institutions for the insane.

¹⁴ Less the amount of course, which is paid by the state for the care of the county's insane.

¹⁵ See resolutions adopted by the Citizens Federation of Hudson County, October 16, 1912. Citizens Bulletin, Nov. 1912.

institution where the sole purpose seems to be to house and feed all patients committed to its care. It has been pointed out, however, that custodial institutions for the insane such as Hudson County affords cannot entirely be abandoned in the event of the establishment of a state control. The president of the New Jersey State Charities Aid Association has said: "The state should undertake a distinct hospital and curative work leaving to the several counties the maintenance of the custodial asylums for the chronic and probably incurable class, but under state advisory supervision."¹⁶

For the present Hudson County is continuing under the old policy, namely, of providing food and shelter for the insane.¹⁷ The board of freeholders appoints a medical director, so called, as the chief administrative officer for the asylum; the medical director receives a salary of \$5,000 a year. All nurses, so called, and attendants at the asylum are appointed by the board of freeholders. No special qualifications of any importance are required of the nurses and attendants who undertake this work. They are grouped under non-competitive classification; their appointments are passed upon perfunctorily and their salaries fixed by the board of freeholders.

Patients are committed to the asylum through the court of common pleas, the medical examination being performed by the county physician. For every indigent patient the state allows the county \$2.00 per week for the patient's board. If it appears at the hearing before the judge that the patient belongs to a family which is able to pay in whole or in part his or her board, the rate per week is fixed by the judge and is certified to the

¹⁶ Legislative Documents 1912 New Jersey. Report to Gov. Wilson. This report is in line with the general tendency to leave chronic cases of insanity with the municipality instead of transferring care of such to the State. Fairlie, *Local Government in Counties, etc.*, p. 227.

¹⁷ Ch. 250 Laws 1912 provides that the county may erect a new asylum for the insane. Under this act Hudson County may proceed with the construction of a new institution. In 1913 the board considered the project of building an asylum outside the limits of the county due to the lack of a suitable location. Public opinion was not ready to approve such a course and the movement was dropped, Minutes April 10, 1913, p. 76.

board of freeholders. The board of freeholders has as yet succeeded in adopting no adequate methods of collecting this money from the relatives who are able to pay for the support of patients.¹⁸

ALMS HOUSE

In New Jersey the care of the poor is devolved by general law upon both the county and the municipality; the latter merely supplements the work of the larger unit of government.¹⁹ Altogether there are only twelve county alms houses in the State of New Jersey.²⁰ Of this number Hudson County owns and maintains the most modern and most expensive. In the majority of institutions there is need for surgical care and hospital facilities, since the inmates are generally old and decrepit. In Hudson County this need is supplied by a hospital annex which is under the charge of a physician and operated as an annex to the county alms house.

Both alms house and hospital annex are under the management of the board of freeholders. A committee of three freeholders acts as one administrative commission for the two institutions. The board of freeholders appoints the superintendent of the alms house; his salary is \$3,000 a year. The physician in charge of the hospital annex is subordinate to the superintendent and is also appointed by the board of freeholders; his salary is \$2,200 a year.

In accordance with the mixed town and county system, the local overseers of the poor in the several municipalities exercise the right of committing paupers to the county alms house. Neither the freeholders nor the sup-

¹⁸ *Infra*. County Investigator, Ch. 5. For opinion of the county counsel on the subject see minutes of the board of freeholders, August 14, 1913, p. 175.

¹⁹ The state maintains no institutions for the poor. The state department of charities has been created only recently and as yet no rigorous system of state inspection has been inaugurated. The State Charities Aid Association, a voluntary society, performs a much needed work in reporting actual conditions in the charitable and correctional institutions throughout the state. Their organization receives a slight assistance from the State.

²⁰ In eight counties, alms houses are maintained by the municipalities; in two counties, there are no alms houses.

erintendent of the alms house has a similar power to commit; this right belongs exclusively to the municipalities.²¹ In this way the responsibility for committing paupers to the county alms house is divided among the poor officers of thirteen municipalities and is not centered in any single body as it is in the commitment of insane persons.²²

The increasing number of paupers found at county and municipal almshouses everywhere has become the subject of inquiry and attention of public officials in general of late. While making due allowances for normal increases resulting from a growing population, it has been recognized that officials must be more careful in their investigation of those persons who apply for admittance and of those for whom application is made.²³ It has been recommended in Hudson County that the power to commit be transferred from the several overseers of the poor, to some central body such as a county superintendent of the poor or by the judge of the court of common pleas.²⁴

At the present time there is no uniformity in the methods of investigation employed by the poor officers in committing persons. There are approximately 680 inmates at the alms house, and in many cases commitments have been made, and the persons received, without an adequate presentation of facts to show that they were in need of public assistance. The question is one for closer scrutiny on the part of the county officials and for leg-

²¹ The superintendent is given the right to discharge inmates from his custody but has been slow in using it in practice.

²² This situation is somewhat better, however, than that in Westchester County, New York. Here the power to commit paupers is divided among 150 officials, according to a statement of the deputy superintendent of the poor in Westchester County, Mr. A. M. Brown, made before the first state conference on better county government, at Schenectady, New York, November, 1914. Mr. V. Everet Macy is the superintendent of the Poor in Westchester County and appoints the deputy.

²³ See the comprehensive Report of the Committee on Inquiry into the Departments of Health, Charities and Bellevue and Allied Hospitals in the City of New York, 1913, pages 249 to 368. "Admission to City Homes." (Almshouses).

²⁴ This suggestion is made by Mr. Clarence L. Stonaker, of Newark, Secretary of the State Charities Aid Association.

isolation which will center the power to commit in one body, and not leave it in the hands of thirteen. An investigation similar to that conducted by the City of New York is needed in Hudson County. The board of freeholders has power to order a special investigation.²⁵

PENITENTIARY

The county maintains a workhouse—or penitentiary as it is now called; this institution supplies prisoners with labor of an inferior order. The county penitentiary is what its name implies; it is a workhouse for the confinement of prisoners who are to serve out sentences of short terms. Unlike the county jail, it is managed by the board of freeholders and not by the sheriff. The board of freeholders appoints the warden of the penitentiary and all assistants. The latter are appointed under civil service rules and are classed as competitive positions.²⁶ The warden receives a salary of \$4,000 a year.

The county workhouse is one of the old style institutions of its kind. The interior of the buildings is indicative of the age of the institutions. The cells are narrow and arranged in tiers; some have metal doors; none has windows. The windows in the court walls are high and the cells are poorly lighted as a result. The plumbing is continually in need of overhauling, and the quarters set apart for female prisoners should be enlarged. The county will be obliged to build a new penitentiary in the near future. The cost of repairs to the present in-

²⁵ A law of 1911 provides, that "The keeper and person in charge of every institution for the poor shall keep a book, to be provided by the authority charged with the care of the institution, in which book he shall enter from time to time the name, date of commitment, age, sex, color, description, physical and mental condition, education, habits, occupations, conditions of ancestors and family relations, cause of dependence, place and date of discharge or death and the place of burial of each and every person coming into the care of such institution together with any other information about them which may be ascertained, and said book shall be open to inspection at all times." N. J. Laws, 1911, p. 408. A penalty is provided for the neglect of the almshousekeeper to keep such a record book.

²⁶ Civil Service Report 1914, p. 153-154.

stitution has become a gradually increasing expense to the county.

The word reformatory could hardly be applied to the Hudson County penitentiary. The mass of material that comes to the institution is not the kind that would justify the county's introducing an elaborate system of trade instruction, such for example as is found in a reformatory. The total number of prisoners sentenced in 1913 was 1085, but the daily attendance was only 225. About two-thirds of those sentenced were between twenty and forty years of age, and about one-ninth were serving a second term.²⁷ These prisoners, both male and female, are supplied with employment of an inferior kind. The men are put to stone crushing, excavating, and general manual labor around the several institutions. The female prisoners are kept at garment making and general sewing for the prisoners.²⁸

Over two-thirds of the prisoners sentenced to the penitentiary during the year 1912-1913 were sent as "disorderly persons." Under the disorderly persons act many of the minor offenses are included; over these the police and recorders courts in the several municipalities have jurisdiction. The county court of quarter sessions also passes sentences for terms at the county peniten-

²⁷ Report of the warden Dec. 1, 1913. Seventy prisoners were serving a third term; fifty a fourth; twenty-three a fifth; and one a twenty-fifth term.

²⁸ The estimated revenue to the penitentiary from labor of prisoners was in 1913 reported by the warden as follows:

The labor performed at other institutions by prisoners was	
21,312 days at 65c a day	\$13,852.80
There were 1,060 pairs of shoes soled and heeled at 35c pair.	371.00
There were 6,779 articles of clothing made by female prisoners at 25c each	1,694.75
There were 24 varieties of vegetables raised the estimated value being	1,484.40
There were 3,357 yards of stone quarried—the estimated cost being	2,685.60

Total earnings for the year ending Dec. 1, 1913..... \$20,050.55

The freeholders have power to institute industrial work for the prisoners and to establish by-laws, regulations, ordinances for the governing of the workhouse.

tiary.²⁹ A list of the crimes for which prisoners were sentenced in 1913 is presented on the opposite page.

TUBERCULOSIS HOSPITAL

In undertaking to provide treatment for persons afflicted with tuberculosis the county has added a function which marks a later development in local administration. Cases of tuberculosis were formerly found quite generally in all of the older county and city institutions. They were found to increase in the city hospitals in such numbers that it became necessary to establish a special institution for the proper care of tuberculous persons as a separate class of dependents. Consequently in Hudson County we find the tuberculosis hospital taking rank as an institution along with the older charitable and correctional institutions of the county.³⁰

The control of the board of freeholders over the tuberculosis hospital differs from that of the other institutions of the county, in that a separate board of managers is appointed to govern it.³¹ The managers are appointed by the board of freeholders; they receive no salaries. The managers appoint a medical director for the hospital who receives a salary of \$4,000 a year. They may

²⁹ RECORD OF ONE DAY'S PROCEEDINGS IN COURT OF SESSIONS: Fred Bayer, breaking and entering, sentenced for one year. William Clements, for the same offense, was placed on probation. Patrick McKenna, for robbery, and Cornelius Short for breaking and entering, were each sent to Rahway. William Friday and Anthony Mueller, petit larceny, one year. Yahio Galeb, atrocious assault and battery, one year. Arthur McCulluch and Maurice Macchino, concealed weapons, postponed sentences. Daniel Matusio, lewdness, eighteen months. August Johnson, assault and battery, \$50 fine. Kennedy McEwan, uttering, postponed sentence. Frank Daly and James Donahue, breaking and entering, postponed sentence. Tony Pelli and Carlo Cardello, concealed weapons, \$50 fine. Victor Rubich and Louis Reinhardt, for robbery and petit larceny respectively, were sent to Rahway Reformatory. Fred Hoyler, atrocious assault and battery, postponed sentence. Frank Gustafeno, disorderly house, six months. Donato Viscarello, concealed weapons, \$50 fine. Frank Lighton, petit larceny, one year. Harry Maurer, Frank Schumacher and Albert Hubert, breaking, entering and larceny, postponed sentences.

³⁰ New Jersey maintains a state institution for tuberculosis patients at Glen Gardner. The state also gives financial assistance to the counties which have local institutions.

³¹ Laws 1912, Chap. 217, Section 1 and 2.

CRIMES	MALES	FEMALES	TOTAL
Abandonment	41	0	41
Assault and Battery	52	1	53
Assault	5	0	5
Assault and Battery—Atrocious	9	0	9
Attempt Escape	1	0	1
Atrocious Sodomy	1	0	1
Bastardy	3	0	3
Bigamy	5	0	5
Breaking, etc	15	0	15
Breaking and Entering	7	0	7
Breaking, Entering and Larceny	18	0	18
Burglary	3	0	3
Burglary Tools	3	0	3
Conspiracy	0	1	1
Carnal Abuse	6	0	6
Contempt of Court	1	0	1
Concealed Weapons	11	0	11
Cruelty to Children	3	1	4
Disorderly House	1	1	2
Disorderly Person	656	87	743
Driving Auto Under Influence of Liquor.....	1	0	1
Desertion	12	0	12
Embezzlement	3	0	3
Entering and Larceny	6	0	6
False Pretenses	1	0	1
Fornication	2	1	3
Grand Larceny	11	0	11
Highway Robbery	1	0	1
Habitual Drunkard	2	0	2
Illegal Registration	1	0	1
Lewdness	1	0	1
Malicious Mischief	3	0	3
Misdemeanor	1	0	1
Neglect of Children	11	4	15
Neglect of Family	2	0	2
Open Lewdness	1	0	1
Non-Support	14	1	15
Petit Larceny	19	11	30
Procuring	1	0	1
Public Indecency	1	0	1
Receiving Stolen Goods	2	0	2
Robbery	5	0	5
Rape	1	0	1
Seduction	2	0	2
Sodomy	2	0	2
Secreting and Destroying Letters	1	0	1
Violating Parole	25	3	28
Worthless Checks	1	0	1
	974	111	1085

elect from their own members a president, and vice-president. The medical director acts as secretary-treasurer.

If any conclusion might be drawn from actual experience under this board, as contrasted to the committee system of administration for the other county institutions, it should be that the non-salaried board is the more satisfactory. The board of managers is directly controlled by the board of freeholders, which appoints it. The situation is thus improved over that of the special commissions over which the board of freeholders has no control.

Besides maintaining an institution for treating incipient and advanced cases of tuberculosis, the board of managers also maintains an elaborate clinic system throughout the county. Attached to each clinic are attending physicians and visiting nurses. These clinics are under the supervision of a supervisor of clinics who is appointed by the medical director with the approval of the board of managers. The clinic nurses are under the direction of a superintendent of clinic nurses; this superintendent is also appointed by the medical director with the approval of the board of managers.³² The clinic system is a result of the recognition now current among experts that the work of tuberculosis prevention is a local health matter and must be carried into the homes.

The system of admitting patients to the hospital is centralized in the medical director, who may also exercise the right of discharge. The system of admission is governed by the law of 1912 which provides that any resident in the county may apply direct to the superintendent of the hospital or to the clinics for admission,

³² In describing the duties of the district nurses, in a paper read before an association of the attending physicians, the superintendent of clinic nurses said: "Well-trained earnest visiting nurses are most essential to the success of tuberculosis dispensary work. The sphere of the nurse is to go into each home, become acquainted with the entire household, win the family confidence, and by persistent tact and good sense she is often able to completely change the family habits. She not only tells her charges of the benefits of fresh air, sunlight, and cleanliness, but studies out the means by which these may be obtained."

and if it appears that he or she is suffering from tuberculosis, such resident may be admitted free of charge or on a weekly pay basis to be determined by the medical director.³³ For every indigent patient the state allows \$3.00 a week for his board. The county, however, must bear the greater part of the expense of the tuberculosis hospital and sanatorium.

The total expenditures for the year 1912-1913 were \$114,687.21; the total number of patients treated was 610. That the work of the county in providing a modern institution of this kind is supported by the public, is entirely justified by experience. The county authorities have received cordial support from the medical profession and the public; the management of the institution has been free from politics of the inferior sort. In the administration of the tuberculosis hospital and sanatorium, Hudson County has taken a step in advance.³⁴

³³ Laws 1912, Ch. 27, Sec. 5.

³⁴ The board of managers makes an annual report at the end of each fiscal year. From the report of the year 1912-1913 the major portion of the facts herein presented have been taken.

CHAPTER V

FUNCTIONS OF THE BOARD OF CHOSEN FREEHOLDERS. ADMINISTRATIVE OFFICERS.¹

We have seen how the board of freeholders under its committee system has provided for the administration of the several county buildings and institutions. It now remains to be considered how other functions of the board are performed by the group of individual administrative officers, who are appointed by the freeholders and who work in conjunction with the several branches of the county administration. First among these is the county law department.²

COUNTY COUNSEL

The county counsel, assistant county counsel and the county attorney comprise the law department; their salaries, respectively are \$6,000, \$3,000 and \$2,500 a year. The head of the department is the county counsel. Each officer is appointed by the board of freeholders and his salary is paid by the freeholders also. They are individually responsible to the board of freeholders and their term of office is coterminous with the life of that board.

As a result of this individual responsibility there is often presented the situation of one law officer advising publicly one course of action and his associate advising another. Since it is the business of the county law department to render legal advice to the county board of freeholders and other county officials or body of officials,

¹ Laws 1900, Ch. 89, Sec. 6.

² Speaking of this department in his annual message, January 4, 1915, the county supervisor said: "We have an expensive law department. I would suggest that your board direct that at least one representative of the department be in the office from 9 a. m. until 4 p. m. every day for the purpose of giving such advice or attending to any legal matter which any of the county boards might require."

it is necessary that the law department be organized along lines of the highest efficiency and that there be no division or working at cross purposes among them.³ The ideal condition would be to make the office of assistant to the counsel, appointive by the county counsel.

The county counsel's services to the county are in some respects like those of the attorney general to the state. His chief duty is that of rendering legal advice to the government. By the government is meant the freeholders, the supervisor, the county collector and in general those boards and commissions which have matters of policy to determine.

Controversies arising between different administrative branches are referred to the county counsel for legal opinion. The opinion of the county counsel takes precedence over that of any other officer appointed by the board of freeholders. His opinions constitute the highest administrative authority on all resolutions and ordinances of the board of freeholders, and on all laws pertaining to county government.

Occasions may arise where there is a disagreement between the county supervisor and the board of freeholders which will require the legal opinion of the county counsel. Here again it may be noted there is possibility for one part of the law department to side with one authority and another part to uphold the view of the other. In practice, however, it is usually the case that the law department favors the board of freeholders in any such controversy. The explanation is that the freeholders and not the chief executive make the appointments. The county law department is, therefore, more directly responsible in fact to the board of freeholders than it is to

³ A recent example of such division in the law department was presented when a controversy between the sheriff and the county collector arose concerning certain fees allowed the sheriff for boarding prisoners. The county counsel gave his opinion upholding the collector, but the sheriff secured the services of the assistant county counsel upholding the opposite view. "Immediately," says the Hudson Observer, editorially, "there was presented the spectacle of the two ends of the law department arrayed against each other in public, if not in the courts." February 12, 1915.

the supervisor.⁴ It should not be inferred from this that the supervisor is without the means of securing legal advice. The counsel is often called upon directly by the supervisor to render an opinion on some matter in which the chief executive is called upon to act, or again, the supervisor may recommend the board of freeholders to request the counsel for advice. In either event it is the duty of the counsel to respond. The real point of criticism is that the counsel is an appointee of the freeholders and not of the supervisor, and as such, his department does not always work in harmony with the chief executive officer of the county.

The county law department often confers and represents the county in negotiating with the several railway and electric companies which make use of the county highways and bridges. Since these lines cross over county property, it becomes necessary to arrange and agree upon franchise fees in all such cases. The county law department also brings suits in the name of the county; appears in court in all suits to which the county may be plaintiff or defendant. Legal opinions in all such matters, including the amount of judgments awarded in some cases, also the amounts compromised in others, are all reported to the board of freeholders, and become a part of their minutes.⁵

There is some difficulty in giving an adequate description of the actual services performed by each individual member or by the department as a whole for the reason that no annual report is made by the law department

⁴ An illustration was given in December, 1914, when the supervisor contended that certain appointments of the freeholders were illegal. In this instance the county counsel gave an opinion directly opposing that of the chief executive of the county, and incidentally, going so far as to declare that the law on which the supervisor placed reliance, practically abolished the office of supervisor. Jersey Journal, December 9, 1914.

⁵ Important legal proceedings are included in the minutes of the board of freeholders.

either to the board of freeholders or to the supervisor.⁶ However, in general it may be said that the county law department submits legal opinions, prepares legal papers, institutes actions in law or equity, and represents the county in all such actions. Individual members appear also for the county in civil service cases, mandamus and certiorari proceedings, render opinions in salary and wage controversies, in questions of revenue and finance; and act in all other legal questions arising between the county and other units of government in the state. Furthermore the counsel frequently prepares bills for the legislature which pertain to needed legislation; he exerts his influence against legislation which is against the best interests of the county government. Generally speaking his department is one of the most important in the county.

THE COUNTY PHYSICIAN

In the office of county physician the county possesses an official which performs the mixed duties of a county coroner, an expert medical examiner, a jail physician, and an officer of the poor.⁷ The county physician and assistant county physician are appointed by the board of chosen freeholders at salaries, respectively of \$5,000 and \$3,000 a year. Like the counsel, superintendents, and other officers of the board, their term of office is coterminous with that of the board of freeholders.

It is the statutory duty of the county physician to investigate all violent, sudden, and casual deaths. In his brief outline of the government of the county Mr. Ed-

⁶In 1912 the Corporation Counsel of New York City submitted 1,776 written opinions for the legal advice of the mayor and heads of departments. The department examined 1,840 titles to property ceded to the city under condemnation proceedings. It prepared all leases, deeds, contracts, bonds and other legal papers of the city making a total of 5,545. Says the Municipal Year Book for 1913, "During the year 37,348 actions and proceedings were commenced and 39,417 terminated. At the close of 1912 there were 37,172 actions and proceedings pending." Page 148. This is an illustration of how concrete facts may be submitted to show the actual governmental work performed by the legal department.

⁷Coroners in New Jersey and especially in those counties which have developed the powers of the county physician, have been reduced to a position which is subordinate to the county physician.

mund Miller has said: "If there are no suspicious circumstances connected with such death, he issues a burial permit. If, however, there is reason to believe that the death is not due to natural causes he calls in a coroner, who is empowered to summon a jury and make a thorough inquiry into the case. The county physician performs any medical examination that may be necessary in connection with such inquiry."⁸ In 1913 the total number of deaths which were investigated and concerning which records were filed, was 1,248. This record is incomplete as the present county physician thus explains: "As we have no facilities for keeping all records we have been able to maintain only those which might become of use in cases for investigation by the coroner's inquest, the grand inquest, or for the use of the courts. Therefore, many of the cases of death from natural causes are not completely recorded and filed in this office."⁹ The complete record for the county is obtainable at the office of the state board of health.

It is relevant in speaking of the duty of the county physician as investigator of violent and sudden deaths, to call attention to the work of the county board of health and vital statistics. This board consists of three members, two of whom are appointed by the board of freeholders and one of whom is the county physician. The chief duty of this board is to compile records of

⁸ An Outline of the Government of Hudson County, a twelve page bulletin of the Jersey City Free Public Library.

⁹ Report to the supervisor and board of freeholders Jan., 1914. The following precept is used by the county physician in directing a coroner's inquest:

"I, George W. King, county physician, in and for said county, having made all proper inquiry, of the circumstances attending the death and a careful examination of the body of.....at.....and it appearing from said inquiry and examination that there is cause to suspect that the said.....came to death by murder, manslaughter, or by contrivance, aiding, procuring or other misconduct of some person or persons: Do hereby request that Coroner..... issue his precept for the summoning of a jury of inquest to inquire into the cause of said death, and that he proceed thereon according to law.

"Given under my hand and seal this.....day of.....A. D., one thousand nine hundred and.....

.....
County Physician.

births and deaths in the county.¹⁰ Through his connection with this board the county physician may keep directly in touch with the records of deaths and births. Suspicious cases may be reported directly by him to the prosecutor.¹¹

Furthermore, as we have said, the county physician acts as a medical expert for the courts. Although legally the court of common pleas acts in commitments to the county insane asylum, it falls on the county physician to investigate and determine all cases of insanity before formal commitment is made. Most of the applications are by persons in indigent circumstances. Many persons so admitted, as explained in the preceding chapter, are able to contribute something towards their support, and the exact amount must be determined by the court after preliminary investigation by the county physician.¹² Formerly feeble minded persons also were examined by the county physician for admission to the county institution but the act of 1913 now directs that all feeble minded persons be sent to the state institution for the feeble minded. The examining work for such cases of feeble-mindedness, however, still remains in the hands of the county physician.

It should be noted in this connection that the county physician has come to serve to a large extent as an adjunct to the courts. The work performed for the courts in 1913 is thus described in the report of Dr. George W.

¹⁰ In practice the work of the county board of health and vital statistics is below the standard of efficiency, partly for the reason that the local boards of health in the several municipalities perform the same functions. Several attempts have been made to abolish the county board on the ground that it is unnecessary. No better illustration could prove the necessity for combining the work of local boards which perform the same functions into one central board for the entire county. *Supra*. Ch. 1.

¹¹ Formerly coroners' inquests were held indiscriminately at much useless expense to the county. Even yet the system permits of much looseness. The Short Ballot Association of New York has suggested that a medical director be appointed by the prosecutor, or district attorney as he is called in New York, and that the present office of coroner be abolished.

¹² In 1913 the number committed through the county physician's office was 254. Only twelve per cent of this number represented persons whose parents were born in the United States.

King, the present county physician: "Heretofore in all cases of homicide or other crime, where the question of the prisoner's sanity was inquired into, the county was put to a great deal of expense for medical expert testimony for the purpose of determining the mental status of the prisoner in question. Now, the courts have asked us to investigate all such cases and report to them. Our work has been satisfactory to them and has resulted in a saving to the county of thousands of dollars."¹³

It has been said that the county physician, furthermore, acts as a jail physician for the county. This is because a great number of the persons sent to the county jail are in need of medical attention; the assistant county physician is required to give the greater part of his time to the care of jail prisoners. In 1913 there were approximately 7,370 individual jail treatments in which nearly one-half were of a surgical nature.

In concluding it remains to consider how the county physician is obliged to perform functions in the nature of an officer of the poor. First, in determining the status of the indigent insane, the county physician acts in the same relation as a local overseer of the poor in committing inmates to the county almshouse. Secondly, under the act of 1913, the county board of freeholders are authorized to make provision in any hospital located in the county for the support of such resident indigent patients as are unable to be maintained by private support.¹⁴ Provision is made for support of the patient in each individual case "upon certification of the name of the individual by the county physician." The certification of the county physician, the law states, "shall be approved by the board of freeholders" upon presentation of the bill for the support of such indigent patient. It must appear in the certification report of the county physician that the patient was in actual need. To do this work of investigation satisfactorily the county physician

¹³ Report of 1913, minutes of freeholders, Jan. 1914.

¹⁴ Laws 1913, Ch. 312.

is in need of facilities in addition to those afforded his office at the present time.

The office of county physician is one of the most important in the county administration, and it is possible to give even greater range to his authority by abolishing the coroner system and placing the powers of the coroners in the one administrative department of the county which is capable of giving expert medical advice. Were this condition to be brought about the county physician would become chiefly an adjunct to the courts. Under the present arrangement the office of county physician is directly responsible to the board of freeholders due to their power to make appointment. The functions performed by the county physician, however, as we have stated, relate very closely to the administrative work of the courts, and are not so intimately connected with the administrative work of the board of freeholders. The county physician should be appointed by the court.

COUNTY ENGINEER

The highways and bridges of the county are controlled by the board of freeholders and placed under the administrative control of the county engineer.¹⁵ The county engineer is appointed by the board of freeholders at a salary of \$5,000 a year and holds office for a term of five years. He may be removed by the board of freeholders for incompetency after proper hearing and satisfactory proof of the charges. It is provided by law, however, that the county engineer "shall have the right to appeal to the state highway commissioner for hearing, review or final adjudication from any order of dismissal, within fifteen days of the adoption thereof."¹⁶ The office of county engineer is run at an annual expense to the county of about \$13,000. Altogether the county maintains about twenty-three miles of highways, and fourteen bridges over the larger bodies of water, canals, etc.:

¹⁵ Laws 1912, Ch. 395, p. 809.

¹⁶ Ibid. The Hudson County Boulevard, 19 miles, is not under the board of freeholders and therefore is not included in the total mileage.

besides these there are numerous smaller bridges in various parts of the county.

The county engineer works in conjunction with the committee on roads and the committee on bridges.¹⁷ Formerly the county was without the regular services of any one engineer. It was the former practice, therefore, for the committees of the board of freeholders to engage outside engineers on the fee basis. Altogether there were ten committees which could seek the assistance of an engineer.¹⁸ Mr. Cameron tells us that the total expenditure for engineering services for a period of six years ending December, 1911, amounted in the aggregate to \$287,305.60. Without attempting to give exact figures, it would seem, considering the reduced expense of the present office of county engineer, that the saving to the county in the length of time referred to would have been very great.¹⁹

Altogether the county's investment in its roads and bridges, excluding the Hudson County Boulevard, is about \$3,204,000.00.²⁰ The annual expense to the county for their maintenance is about \$151,000. Until the state road and highway department was created the counties were required to pay for and build their own roads. The act of 1912, however, provides for a state supervision and control over road construction in the several counties throughout the state. The board of freeholders of each

¹⁷ A county superintendent of bridges was created by the board of freeholders in Dec., 1914, to act in conjunction with the committee on bridges.

¹⁸ Cameron Report, p. 75, for a full discussion of the cost of the engineering services.

¹⁹ A further saving to the county might be made by the transfer of the duties of the boulevard commission engineer to the county engineer. In this connection the following resolution was adopted at the meeting of the board of freeholders, Dec., 1914: RESOLVED: "That the clerk of the Board of Freeholders be directed to inform the Board of Boulevard Commissioners of this county that this board has a competent engineering department and that whenever the Boulevard Commissioners require any engineering work to be done, that they call upon the engineering department of this board, which is always at their service, instead of employing outside engineers and incurring large and unnecessary expense for that purpose."

²⁰ Estimate in the report of the county supervisor. Jan. 4, 1914. See 1914-15 budget for highway and bridge expense.

county, on initiating any road improvements within the limits of the county, first directs the county engineer to prepare plans for their approval; then the board must prepare contracts and specifications, advertise for bids, and subsequently enter into a contract with the party selected from among the bidders. However, it is provided that no work can be commenced until the plans and specifications have been approved by the state road commissioner; this officer may reject any such plans and specifications. The board of freeholders may not proceed within four months after such rejection with the work of road reconstruction as contemplated.

Thus the state road commissioner is given the power to hold up unsatisfactory highway construction in the several counties of the state, and the highway policy in each county is kept in line with a general plan of road and highway construction by and for the state. The state's share of the expense of any improvement is forty per cent of the total estimated cost; the county's share is sixty per cent. The state maintains a board of road inspectors whose duty is to inspect from time to time the roads under state supervision; besides this, a separate committee on roads acts as an administrative commission for the board of freeholders.

The maintenance of the county bridges also involves a great amount of supervision and the county engineer is directly responsible to the freeholders for this work. All bridges must be kept in first class condition. The life of the bridges may be lengthened by proper care and it is necessary that they be painted at regular intervals. The larger bridges are operated by bridge attendants; these employees are appointed by the board of freeholders and directed by the county engineer in conjunction with the committee on bridges. Daily reports of the bridge superintendents are required to be filed with the official records of the engineer. A thorough inspection is thus maintained by the county.²¹

²¹ A special appropriation by the board of freeholders was made in Feb. 1915, to join with the remaining four Hudson River counties in making preliminary survey for a Hudson River bridge and tunnel.

COUNTY OVERSEER AND MECHANICS

The county overseer deserves mention only as the directing head or foreman of the bureau of county mechanics. This bureau is composed of carpenters, masons, painters, quarrymen, bakers, helpers and bookbinders. They are not attached to any one of the several institutions but are required to do odd jobs of repair and construction in connection with all of the county's buildings. The county overseer is charged with the custody of all supplies and materials required for use at the several institutions and at the county farm.²² The resolution governing his appointment provides that, "the county overseer have the supervision of the store house and county stables, as well as the employees thereof, and also be chargeable with the custody of all supplies not properly a charge against any one institution at the county farm, and perform such other duties as may be ordered from time to time by this board or its appropriate committees."²³ The county overseer receives a salary of \$1,560 a year.

The expense to the county of the bureau of county mechanics is about \$45,000 a year, exclusive of supplies. While the fact is recognized that a bureau of this kind is necessary in keeping the several institutions in good condition, the duties that the "mechanics" perform are likely to be of such inferior kind as would justify the employment of the county prisoners at the penitentiary. In the past it has been the custom for the county to contract for much of the higher grade repair work at the institutions. This would seem to be an unnecessary expense to the county if a bureau for that very purpose is maintained by the county.

A step toward the reorganization of the county me-

²² The county institutions are situated on a high plot of ground at the outskirts of Jersey City known as Snake Hill. (See Irving's Knickerbocker, Bk. II, Ch. 2).

²³ Minutes, board of freeholders, Feb. 13, 1913, p. 32. The storehouse is used as a warehouse for supplies used at the county institutions. The county stables which are also under the supervision of the overseer are used to keep twenty-five horses belonging to the county.

chanics has been taken recently; and the county supervisor has signified his intention of reorganizing the force of the county mechanics, eliminating as far as possible the expense of contracting for repair work.²⁴ Other recommendations relative to the expensive mechanics department have been made from time to time. Mr. Cameron in his report advised that the county overseer be required to make detailed "statements showing the number of days' services for which claims have been approved respecting each mechanic, the nature of the work, and the institution against which the charge should be made." In accordance with this suggestion Supervisor O'Mealia required a detailed statement of the actual services performed by the county mechanics during his term of office. The chief criticism of the present system, therefore, would seem to be that the bureau is not efficiently organized, and that a plan something like that in use by Cook County, Illinois, would be the best substitute for the present irresponsible system. In that county numerous mechanics are employed from time to time, but the individual mechanics are paid by the hour or day. This arrangement seems to be more business-like and should tend toward a higher efficiency than the present system.²⁵

COUNTY INVESTIGATOR

The board of freeholders employs an agent to investigate the financial circumstances of those persons or the relatives of those who apply for admittance to the county almshouse, insane asylum and tuberculosis hospital;

²⁴ Minutes of the board of freeholders, Feb. 1915.

²⁵ The board of freeholders in March, 1915, created the position of superintendent of public works at a salary of \$2,000 a year. The duties of this officer are "to supervise the erection, alteration and repairing of all buildings under the control of this board, and the laying out, altering, repairing and keeping in order of all grounds under the control of this board." The new superintendent must also "supervise and overlook the work performed by the county mechanics as well as the work performed by any person or persons not under the jurisdiction of the warden or other head of any institution or department, keeping an accurate record of the performance of all such work, daily and monthly reporting thereon as may be ordered or required by this board." (Resolution, Mar. 11, 1915, Minutes Freeholders.)

this officer is known as the county investigator. He is appointed by the board and receives a salary of \$2,500 a year. The duties of the county investigator are to investigate the family connections of all applicants for poor relief for the county and to advise the courts and county physician of the results of this investigation. Under former administrations it was required of the county investigator to make collections monthly from those who were able to pay for the support of relatives. This method having proved unsatisfactory the system was changed to the present one; now the responsibility for such collections falls upon the heads of the institutions. The county investigator merely reports the results of his investigations.

It may be said that the work of investigating for the various county institutions is inadequately performed at the present time. With the increasing demands made upon the county for charity and relief there is need for a special department of investigation so as to provide honest administration of the poor laws.

CONCLUSION

Only the more important officers of the board have been treated in the present chapter. Besides the administrative officers whose duties have thus been described there are several minor officials who are appointed and whose salaries are fixed by the board of freeholders. From the above it is worthy of note that the so called "heads of departments" are not actually heads after all, since their assistants and subordinate officers are not appointed by them. Instead these appointments are made by the board of freeholders. Such lack of a proper organization of the administrative departments does not bring the best results chiefly for the reason that it does not induce subordinates to feel their responsibility to the head of their respective departments. Too many subordinates in any department are as reprehensible a condition as too few. The head of each department should be given the right of appointment and removal, and should be held responsible for the appointment and the conduct of those who are subordinate to him.

CHAPTER VI

THE COUNTY—STATE ADMINISTRATION

The present chapter bears the caption which best describes, perhaps, the several important boards and commissions which constitute independent parts of the government of Hudson County. These boards are the Boulevard Commission, the Park Commission, the Mosquito Extermination Commission, the Board of Elections and the Board of Taxation.¹ The first three of these boards perform functions which the state has not seen fit to take completely from the county, but which it has separated from the administrative control, at least, of the board of freeholders. The latter two boards perform functions which the state does not leave entirely to the charge of the local county authorities but which it places in the charge of appointive officials who are responsible to the state alone. These boards will be considered separately.

THE BOULEVARD COMMISSION

The Hudson County Boulevard Commission is composed of three members who are elected at large and who serve for three years. The commissioners receive a salary of \$1,500 a year; the president and secretary of the commission each receive an additional \$250.²

¹ The Parental School Commission also is a separate body. It is composed of five persons who are appointed by the judges of the court of common pleas with the approval of the board of freeholders. Under the provisions of an act passed in 1912 by the legislature this board may "acquire land and erect buildings suitable for the detention of all persons, male or female, under the age of eighteen years, who may have been adjudged juvenile delinquents by the courts for the trial of juvenile offenders, or who may have been convicted of violating any criminal statute or who may be detained as a witness in any criminal prosecution, or who may be under commitment for appearance in the juvenile court pending final hearing of any pending cause." The county has already purchased a site for the new parental school.

² Full details with regard to the finances of the Boulevard Commission are to be found in a report of Engineer Whittemore which is included with the Cameron Report to the Supreme Court Justice, p. 176-226.

The total annual salary and wage expense under the control of the commission is about \$110,000, and the total annual expense for maintenance of the Boulevard is about \$176,000. The three members of the commission are elected at the same election under an act which provides that, "in order to secure minority representation on said board, no voter shall at any election vote upon his ballot for more than two commissioners of such board, and upon the canvass of the election the three persons receiving the highest number of votes shall be declared elected."³ This permits voters of the minor party to select one out of the three members elected.

The Hudson County Boulevard was built by the board of freeholders under the provision of an act of 1888.⁴ From that time until 1898 the boulevard was controlled by the board of freeholders. As stated in the report of engineer Whittemore, "The maintenance, lighting, repair and control of the boulevard was under the authority of the board of chosen freeholders until the year 1898 when the legislature passed an act as a supplement to the act of 1888. . . . under the authority of which there was created a board of boulevard commissioners. . . . All the duties which by the act of 1888. . . . devolve on the board of chosen freeholders touching the maintenance, lighting, repair or control of these roads, devolve exclusively upon the boulevard commissioners; all permits to open roads, disturb the surface, or to lay sewers, drain, water, gas or other pipes therein, shall be granted, all

³ Laws 1898, Ch. 106, Sec. 3. This feature of the act has been attacked on the grounds of its alleged unconstitutionality. As yet no attorney general of the state has consented to the institution of certiorari proceedings to test the legality of this board. His consent must be obtained before such proceedings can be utilized. In refusing consent on two occasions the attorney general has raised the objection that the board should be continued in office chiefly because its abolition would invalidate outstanding bond issues. This objection is met by the contention that the board of freeholders issues all the bonds and that the abolition of the Boulevard Commission would in no way affect the validity of the bonds already issued and outstanding.

⁴ This highway extends from one end of the county to the other. It connects the municipalities of Bayonne, Jersey City, West Hoboken, Union, West New York, North Bergen, Guttenberg, Weehawken, and Hoboken. It was formed by joining and widening several highways.

ordinances for the regulation or use of these roads shall be passed by the Boulevard Commissioners, and not by the board of chosen freeholders.”⁵

The Boulevard Commission performs numerous functions in connection with the maintenance of this highway. In several matters its services may be compared to those of a municipality. The boulevard commission has the right to maintain a separate police force, to own and operate a separate electric lighting plant, to employ its own cleaning and repairing force, to act in other ways entirely separate from the county road and highway system and independent of the street departments of those municipalities through which the road lies.⁶ The boulevard presents another illustration of the duplication of municipal functions to be found in the county, and adds weight to the argument for eventual consolidation of municipal and county functions.

All funds for boulevard maintenance and repairs must be provided by the board of freeholders and included in the annual tax budget; this appropriation is mandatory on the board of freeholders.⁷ The fund appropriated remains in the hands of the county collector; warrants on the collector are signed by the president and secretary of the commission.

Besides supplying maintenance funds for the commission, the board of freeholders is authorized to issue thirty-year bonds on the order of the boulevard commission for the purpose of repairs, resurfacing, paving etc.⁸ The total cost of such work shall not at any time exceed two-tenths of one per cent of the total county ratables assessed for county purposes in the year in which the last work authorized by the act shall be completed.

⁵ Cameron, p. 176-7.

⁶ It is interesting to compare the management of the boulevard under the special commission plan with the committee system of the board of freeholders. In practice there is no superiority in the present management of the boulevard to that of other county properties which are under the administrative control of the committees of the board of freeholders.

⁷ Act 1898, Ch. 106, Sec. 4.

⁸ Act 1908, Ch. 69.

Thus the total amount of bonds which may be issued for boulevard "repairs" may be increased with every jump in the county's tax ratables.⁹

All contracts for repairs and repaving are let by the boulevard commission. They may prepare contracts and specifications and advertise directly for bids, and may furthermore employ a separate engineer. The county counsel acts as counsel for the boulevard commission. Due to the fact that the board of freeholders controls all other county roads the abolition of the commission has been advocated on the ground of uselessness and extravagance.¹⁰ The opposing argument is that the abolition of the board, itself, would not result in any great saving to the county beyond what might be saved from the salaries of the commissioners. This would not include a reduction in the number of employees, even though the road were placed under the control of the board of freeholders, it is argued. The question calls for a careful survey of the cost of maintenance of the road and highway systems, of the municipalities and of the county.¹¹ In this way cost units may be determined for the entire county and other necessary data obtained. A bill was introduced in the legislature in 1915 to abolish the boulevard commission and transfer its functions to the Hudson County Park Commission. Several strong arguments were advanced in favor of this bill, but the measure failed to pass.

PARK COMMISSION

The Hudson County Park Commission is an incorporated body which is composed of four members who are appointed by the judge of the court of common pleas.

⁹ For example the county ratables were \$527,948,180.00 in 1913, thus placing a limit of \$1,055,896.00 on the bonds.

¹⁰ The Citizens' Federation has consistently advocated the abolition of this board.

¹¹ The most complete report on the Boulevard is the Whittemore report which was made in 1911 and which is now somewhat out of date. The report of the grand jury in April, 1915, contains much interesting information relative to the cost of this highway. A reply to the grand jury report was prepared by the commission and published April 5, 1915. This was followed by a more elaborate report of the grand jury April 11th.

The commissioners each serve for a term of four years; one member is appointed each year. They receive a salary of \$1,500 a year. The total salary and wage expense under the control of the commission is about \$81,750 a year, and the annual maintenance expense, including this amount, is \$100,000.¹² The total area of the present county park system is about 507 acres; this acreage is distributed among five parks situated in different parts of the county. The Hudson County Boulevard is the connecting link between the county parks in the northern and southern parts of the county. Like the Boulevard Commission, the Park Commission may perform its functions without interference by the freeholders. It elects a president, vice-president, treasurer from its own membership and may appoint and fix the salaries respectively of a secretary, counsel, landscape architect, and superintendent.¹³ The commission may contract for all labor and may pass resolutions in determining the duties of all its employees and make all necessary regulations for the services to be performed.¹⁴

The powers of the commission in acquiring land for park purposes are very extensive. The act provides that the commission "shall have power to acquire, maintain, and make available to the inhabitants. . . . and to the public, parks and open spaces for public resort and recreation, and shall have power to locate within the limits of said county such parks and places; and for these purposes shall have power to take in fee or otherwise, by purchase, gift, devise or eminent domain, lands and rights in lands for public parks and open spaces within said county."¹⁵ Under the provisions of this act

¹² Appropriations for 1914-1915.

¹³ Laws 1902, p. 811.

¹⁴ Sec. 15, of the act of 1902, provides that "every such board shall make rules and regulations for the government and use of all such parks. . . . and to enforce the same by prescribing and affixing for the violation thereof suitable penalties, not exceeding fifty dollars for each offense."

¹⁵ Act 1902, Ch. p. 811, Sec. 4.

the present county park lands have been purchased or acquired.¹⁶

All funds for the maintenance and the purchase of county parks are provided by the board of freeholders; the park commission exercises the exclusive right to disburse the money so received. The board of freeholders is compelled by law to borrow money on the credit of the county "to a sum, in the aggregate not exceeding one per centum of the assessed value of all the property, real and personal, in said county liable to taxation for county purposes."¹⁷

The park commission must make requisition on the freeholders for the amount necessary to be raised and each requisition so ordered is mandatory on that body. In practice the board of freeholders has, as a rule, delayed to make appropriations promptly upon the request of the park commission. This is because the commission has been in the habit of asking for sums in excess of what seemed necessary for the immediate occasion.¹⁸ This course of action on the part of the park commission was explained in 1911 by their counsel with the statement that since the commission "had been subjected to some delays upon the occasion of prior requisitions for moneys, they felt that they could not make a contract for any substantial piece of land until they were in a position to know that they would have the funds to carry out every part of the contract."¹⁹ At the present time the park commission may yet issue \$2,147,487.91 in bonds before it reaches

¹⁶ The outstanding park bonds Nov. 30, 1914, were \$3,240,000.00 with a balance in bank of \$192,506.48. See county collectors report 1914, p. 73 and 49.

¹⁷ Act 1902, Sec. 12, p. 811. This act would at the present time permit a total bonded debt for park purposes of \$5,387,487.91.

¹⁸ In an opinion December 11, 1913, the county counsel said: "I do not think that the park commission can ask at any time for the issue of bonds in excess of their actual needs within a reasonable time thereafter. I think that they should ask from time to time for only so much as they actually need at that time, or will need within a reasonable time thereafter and thereby relieve the county from paying interest on moneys which may not be used for a long time thereafter." Minutes Dec. 11, 1913.

¹⁹ This statement is quoted from the Cameron report, p. 140.

the limit placed on the total amount of bonds which the law of 1902 authorizes for park purposes.

MOSQUITO COMMISSION

Strictly speaking the work of exterminating mosquitoes in New Jersey is a health problem; formerly it was included as a part of the duties under the local boards of health. The legislature of 1912, however, made provision for the appointment, in each of the five counties in the northern part of the state, of a special mosquito extermination commission, each of which was to be affiliated with the State Agricultural Experiment Station in the work of mosquito extermination.²⁰ For several years the state of New Jersey has made appropriations on a small scale for mosquito extermination work. The progress of the work resulted in the movement to include the counties of Hudson, Essex, Bergen, Passaic and Union.²¹

In these counties the law provides that the money necessary to maintain the mosquito extermination commission shall be appropriated by the board of freeholders, and shall be paid from time to time to the mosquito commission on its requisition.²² It is also stated in the act that, in no one year, shall the total amount to be expended exceed the limit of one quarter of a mill on every dollar of assessed valuation.²³ The appropriation is mandatory on the board of freeholders. In accordance with the provisions of the act, Hudson County has appropriated for the period of 1912-1915 a total amount of \$92,661.00 for the mosquito extermination commission.

The Mosquito Extermination Commission of Hudson County is composed of six members appointed by the Justice of the Supreme Court presiding in Hudson

²⁰ Laws 1912, Ch. 104.

²¹ The total area of the swamp that covers so large a part of these counties is about 29,000 acres.

²² Act 1912, Sec. 6.

²³ The county supervisor denounces this amount as excessive in his message of Jan., 1913. He said, "I will call your attention to the new Mosquito Extermination Commission which has the right according to law from the board of freeholders for its maintenance this year, the sum of one hundred and twenty thousand dollars." Minutes 1913, p. 7.

County. Members are appointed for a term of three years and serve without salary; two members are appointed each year. The director of the New Jersey Agriculture Experiment Station is a member ex-officio of the commission in each county. Under the law the commission must file with the director of the State Agriculture Station a detailed statement of the amount of money required for the ensuing year. The director may approve, modify or alter the estimate of expenses and plans; his approval must be certified to the board of freeholders, before the specified amount can be included in the annual tax budget. Thus the state director has extensive power in approving or disapproving all mosquito extermination work in the several counties under close state supervision.

The work in Hudson County as well as in the four other counties has consisted chiefly of ditching and draining the vast meadow and marsh lands where the mosquitoes are most productive. The commission bases its annual estimate mainly on the cost of cleaning and constructing a specified number of feet of such ditches. The methods approved by the Director of the State Experiment Station in 1913 were as follows:

1. The discovery and proper recording of every breeding place of mosquitoes within the limits of the county.
2. Causing wherever the nature of the mosquito breeding places render such practicable the draining or filling or cleaning and stocking with fish of all mosquito breeding places within the limits of the county.
3. The periodical oiling or otherwise treating throughout the mosquito breeding season of all such areas as cannot be permanently abated within the limits of said county in such a manner as will prevent the breeding of mosquitoes.²⁴

BOARD OF ELECTIONS

Much responsibility is placed upon the county in securing an honest ballot. A large part of the expense for all elections is paid out of the county treasury.²⁵ Each county in the state has a board of elections, which is composed of four members. The chairman of each of the

²⁴ Minutes of freeholders 1913, p. 96.

²⁵ The cost of elections in Hudson County is about \$160,000 a year.

two political parties polling respectively the highest and next highest number of votes at the last election, must nominate two members, whom the governor appoints, to comprise the county board of elections.²⁶ Thus in each county there is a board of elections which is bi-partisan and which is directly responsible, theoretically at least, to the governor of the state. The board appoints a chairman from its own membership and employs a secretary.

Besides appointing members of the local boards of registry, the county board of elections is charged with preparing a complete registry of all the legal voters in the county. This is the one official list both for the county and for individual municipalities. In county and municipal elections the county board may act as a board of registry for all elections, primary, general and special. Sitting as a board of registry they may strike off names of persons who are not qualified to vote; they may also add names to the list of registered voters upon presentation of satisfactory evidence in all such cases. After the final registry is completed the county board must print a complete list of the registered voters in the county. At least five copies of the list are sent to the chief of police in each municipality and a house to house investigation must be made and reported to the county board by the several police departments. This report is open to public inspection at the office of the county board.²⁸

The county board of elections may conduct a recount of the ballot after any disputed election; a majority vote

²⁶ Act 1898, Ch. 139, Sec. 13.

²⁷ There are about 322 election districts in the county; no district must contain over 400 voters. The rental cost per polling place is about \$35, including registration, primary, general and special elections. West Hoboken is the only municipality in the county where school houses are used for election purposes.

²⁸ In Hudson County there are altogether twenty elective county officials. The number of elective party officials has been increased under the direct primary system; at present voters elect—besides all county, municipal, state and congressional officials—all party committeemen for city, county and state committees and all delegates to the national conventions. Nominations for office are made by petition, the convention system having been abolished everywhere in the state, except on occasions when a state platform is to be framed by the parties.

of the board will decide any disputed ballot. Those who claim inaccuracy or fraud in the count may make application to the justice of the supreme court, who may direct the county board in conducting a recount of the votes cast. In instances of fraudulent counting of the vote the grand jury may also investigate, conduct a recount, and return indictments against any election officials; such a course happened in 1913 after certain disclosures of fraud at the primary election in Hoboken. It has been proposed as a result of the possibility of fraudulent counting of primary election ballots, to vest the appointment of a special commissioner in the justice of the supreme court who shall conduct a recount and "audit" of the ballots after such election.²⁹ In this way the business of checking up the count of the local election officers would be brought directly under the supervision of the judiciary; it is contended that this fact would have a deterring effect on local election officers who would otherwise be amenable to their party leader in certifying election returns fraudulently.

While, as stated above, the county board of elections may appoint the local boards of registry and election, the act of 1911 provides that election officers must pass a civil service examination.³⁰ Therefore in certifying the names for local boards, the county board must appoint officers whose names appear on the eligible list from examinations by the civil service commission. As this is a new experiment in election law it is of interest to observe how the principle works out in practice. The process is set forth in the law; the chairman of each county committee of the two largest political parties transmits to the civil service commission a list of men of "good moral character" whom he recommends for appointment.³¹ The civil service commission then announces when the

²⁹ See Citizens Bulletin, March, 1914. Such a bill was introduced by the Citizens Federation in the legislature of 1914, but failed to pass.

³⁰ New Jersey is the only state which requires election officers to pass a civil service examination.

³¹ Names may also be submitted on petition of the voters of any election district.

examination will be given for election officers. The character of the examinations is set forth in general terms in the act. Candidates are required to have good color sight, good eye sight, to be able to read readily, to add and subtract correctly, to write legibly, and to possess a reasonable knowledge of the duties prescribed by the election law.³² As to the results of the examination method the civil service commission makes the following statement:

"Experience has demonstrated that the position of election officers does not at present offer sufficient attractions to invite application in large numbers from the highest order of candidates. Reports come to the Commission from many sources that the County Chairmen are unable to secure enough candidates willing to take the examination to cover every district. While the examination given by the commission has, in its opinion, and in the opinion of others well acquainted with the requirements of the positions to be filled, been sufficiently severe to test properly the candidates under existing conditions, examinations might be made more rigid in character, were the fear not present that if this were done, the number applying would be diminished to a point which would cause great embarrassment."³³

BOARD OF TAXATION

Centralization tendencies in tax administration in New Jersey have taken the form of a local board of taxation for every county in the state. These are known as the County Boards of Taxation; they are appointed by the governor with advice and consent of the senate.³⁴ While the assessment of property for purposes of taxation is conducted by local assessors in the several municipalities of the county, the county board is given authority to supervise all assessments and to act as a board of appeal. The county board is directed to secure equal taxation throughout the county. The members of the county board are required personally to view and inspect so far

³² Under the operation of this law it has been necessary to fill vacancies in the local boards in many districts because of the lack of any qualified candidates appearing on the civil service lists. In such cases provision is made that local officers may be certified to perform the duties of election officers by the judge of the court of common pleas.

³³ Report of the Civil Service Commission 1914, p. 13.

³⁴ Laws 1906, Ch. 120.

as possible the assessed property in the thirteen taxing districts of the county, and to make revision and corrections in the assessments.³⁵

Since it is the duty of the board to meet from time to time to hear appeals from the local assessments, it is necessary to make rules and regulations respecting the conduct of such appeals. All such rules must conform to those of the State Board of Equalization of Taxes and to such rules as may be provided by the legislature. Property owners may appeal to the county board of taxation either to reduce an assessment, or to equalize same by raising an assessment of similar property which may appear to be undervalued.³⁶ Hearings on appeals are granted by the county board, and regular sittings of the body are held in different parts of the county for the purpose. On this point the state commission on tax reform has recommended the following:

"The County Tax Board should be required to set days for hearing appeals from property owners of the various taxing districts, going as far as practicable into each district, or at least to some convenient place adjacent thereto; and at such hearings, which the local assessor should be required to attend, the board should hear any complaint and dispose summarily of his grievance. This would not preclude anyone from presenting a statement of his grievance in advance, if he so desired, in order that he might receive personal notice of the date when the hearing would be held. And it would satisfy persons who now feel that they are denied a proper hearing."³⁷

The county board of taxation in Hudson County is composed of three members. One member must be appointed from the minority political party; members must

³⁵ There are about 28 local tax assessors in the several municipalities, some of whom are elected, others, appointed by the local governing boards. The control of the county board over these local assessors is limited. It has been suggested that the county board of taxation be replaced by a single official to be known as the county assessor who will be appointed by the board of chosen freeholders. This plan was presented in the form of a bill before the 1915 legislature and was defeated. See report of the special Tax Reform Commission, N. J., 1912.

³⁶ For an example, the West Shore Railroad appealed to the county board of taxation in 1915 for an increase in the valuation of local property of individuals living in Weehawken which it claimed was undervalued. The railroad acted on the theory that it would pay less taxes if the owners of the private property assessed at the lower rate were compelled to pay more taxes.

³⁷ Report to the governor of the State Tax Commission of 1912, p. 45.

be citizens of the county in which they are appointed. They receive a salary of \$3,500 a year which is paid by the state; they may appoint a secretary to the board and other clerks, assistants, etc. The salaries of the latter are determined and paid by the board of freeholders; the expense of the county boards also is met by the board of freeholders. The county board of taxation in Hudson County is an important branch of the county and state administration. Notwithstanding this fact it has frequently been proposed to abolish county boards of taxation throughout the state on grounds of economy, since in many counties of the state the need for such a board is not as urgent as in the large counties such as Hudson. Referring to the Hudson County board, the Jersey Journal has said:

"Whatever the effect of the abolition of county tax boards in other counties might be, the abolition of the board in Hudson would be, at least for a time, little short of calamitous. The large amount of ratables in this county and the thousands of appeals annually from the valuations of local assessors keep the Hudson County board and its office force busy practically all the time.....There may be some good reason for abolishing county tax boards throughout the State, but if the Hudson County board is wiped out of existence the great amount of work it is doing will have to be done by some other agency that may not do it so economically or so well."—Feb. 16, 1915.

CHAPTER VII

THE STATE—COUNTY ADMINISTRATION

Among those functions of government which have been taken over by the State, but which yet remain interwoven in the county machinery, none is so important as the work of the State Board of Children's Guardians. This board has charge of between six and seven hundred dependent children from Hudson County.¹ These have been placed either in private homes where they are given free care without expense to the county, or in boarding homes where the annual cost to the county for each child is about one hundred dollars. Thus the counties are relieved from adopting the two alternatives, first, of providing an orphans home for children, and second, from sending dependent children to the county almshouse for adults, there to be reared amid conditions which would handicap them for life. Under the efficient direction of the state board of children's guardians, the work of caring for the county's wards has been raised to a high standard.

Although Hudson County now possesses the most modern and complete alms house in the state, it required a notorious exposure of deplorable administrative conditions at the old alms house to prompt the legislature of 1899 in creating a state board for the care of dependent children.² The startling accounts of existing conditions as published by the press, assisted in bringing the need for state control to the attention of the public.

In speaking of the work of Mrs. Emily E. Williamson and Mr. Hugh Fox, both of the State Charities Aid Asso-

¹ In 1914 nearly three hundred children from Hudson County had been placed in free homes. The report of the board for 1914 states that in all 1137 children from the state at large are under its care. The cost per child to the counties is \$54.27, and to the state \$13.27 making a total cost per capita of \$67.54.

² For a popular account of the events leading to the enactment of the act of 1899, see Sackett's *Modern Battles of Trenton*, II. Ch. 10.

ciation, and of their influence in directing the reform, Mr. Sackett has said:

"They proposed the creation of a State Board of Children's Guardians with authority to provide wholesome homes for the little dependents of the public. Their suggestions roused the opposition of some private organizations engaged in child traffic under the guise of child rescue. The sale of parentless youngsters for adoption was making them rich. And, besides, some county officers who were finding profit in feeding their local paupers were reluctant to lose it."³

The act of 1899 gives the state board authority to exercise a "general supervision over all the indigent, helpless, dependent, abandoned, friendless and poor children constituting public charges."⁴ The board is composed of seven members, two of whom may be women; these members are appointed by the governor and serve without salary.⁵ All expenses of the state board, excepting office, administrative and salary expense, are paid by the counties. The board of freeholders must provide for the "support, care, education and maintenance of any child or children adjudged to be a public charge and who shall become wards of the state board."

The system of committing children to the care of the state board remains in the hands of the poor officers of the several municipalities. Children are first committed to the county alms house; then the board of guardians is notified of their commitment. They receive proper medical attention, are fitted with clothing; and, when provision has been made by the state board for finding them homes, they are placed by the agents of the board. The law provides that the child must be placed in a home of the same religious faith to which its parents belong or belonged. That is to say, Catholic children are placed in Catholic homes, and the Protestants in Protestant homes.

³ Ibid. p. 90. The present directing officer of the State Board of Children's Guardians is Mrs. Caroline Alexander Wittpenn, who has done a vast amount of work in connection with the administration of county and state charitable and correctional activities.

⁴ Laws 1899, Ch. 165.

⁵ The appropriation by the state for the Board of Children's Guardians in 1914 was \$8,000. The appropriation for the same board in Hudson County was \$45,120.00 in 1913-1914.

Agents of the board visit and report from time to time the conditions of the wards thus placed; it is the business of the state board to look after all children committed to its charge.

THE STATE BOARD AND THE WIDOW'S PENSION ACT

The administrative work of the state board of children's guardians has been greatly extended under the provisions of an act to improve home life for dependent children. This law is commonly known as the Widow's Pension Act.⁶ It is perhaps the most advanced step in social reform legislation that the legislature of New Jersey has yet enacted. While the granting of pensions to mothers is performed by the judge of the court of common pleas, the administrative features of the act fall entirely on the board of children's guardians.

Under the provisions of this act any widow who is the mother of one or several children and who is unable to support them, may file a petition for aid with the state board of children's guardians. This board must investigate each case in order to determine the reliability of the data presented with the application. The results of their investigation must then be laid before a judge of the court of common pleas in the county where the applicant resides; with such information before him the judge may grant the pension.

Certain difficulties have developed from the practical application of this act. For example, the granting of a pension to a widow applying for assistance may be so prolonged due to the necessary administrative tasks of investigation, that the family may have to be sent to the alms house for immediate relief. As a remedy for this possible condition, Mr. H. L. Barek, overseer of the poor in Hoboken, advises the transfer of the power of granting pensions from the court of common pleas to the overseers of the poor. He says: "While the system theoretically may be all right, its practical workings have developed short comings which have tended to defeat the very pur-

⁶ Laws 1913, Ch. 281; amended 1915.

pose for which it was intended. This purpose is to afford relief when relief is really needed. Some applicants have had to wait fifteen months before their petitions have reached the court for final disposition."⁷

Further administrative responsibilities have developed in the operation of the law. Mrs. H. O. Wittpenn, president of the state board of children's guardians, thus explains: "After the most rigid investigation of the applicant has been made by this board and presented to the judge, and after he has granted the petition, the difficult, long and tedious task of raising the standard in the home is ours. It is not sufficient to give to the mother the sum specified by the court, for we must not forget that the father's death and the consequent loss of his support is not the only, and in many cases the chief cause of the dependency. The mother's ill health—caused many times by overwork, ignorance in the matter of home making and the expenditure of money, shiftlessness, and the lack of a proper standard, are all contributory factors."⁸ Thus it will be seen that the state board has set a high standard for the efficient performance of the duties devolving upon it. Much responsibility rests upon the state board for the successful operation of the widow's pension law as it now stands.⁹ Hudson County appropriated \$20,000 in 1913-1914 and \$35,000 in 1914-1915 for the payment of pensions to widows.¹⁰

STATE CIVIL SERVICE COMMISSION

Another state board which has become intimately connected with local administration in the county offices, boards and commissions, institutions and departments, is the State Civil Service Commission. New Jersey adopted its present civil service law in 1908; this act went into

⁷ From a discussion of the question by Mr. Barck at the annual meeting of the New Jersey State Association of Overseers of the Poor, 1914.

⁸ Annual report 1914, State Board of Children's Guardians.

⁹ It must not be overlooked that the law gives the judge the right of revoking any pension granted by him. In such event the widow's children become wards of the state board of children's guardians.

¹⁰ The actual payment, however, in 1913-1914 did not exceed \$9,000.

effect in respect to the state service at once. The provision was made in the act, also, that municipalities and counties might adopt the act by popular referendum. Since 1908 the three largest counties in the state have adopted the civil service act; Hudson County having adopted it by a vote of 36,198 as against a negative of 17,457 votes. The administration of the civil service law is in the charge of a state commission. This commission is composed of four commissioners who are appointed by the governor with the advice and consent of the senate. They serve for a term of four years and receive a salary of \$2,000 a year.¹¹ The commission appoints a chief examiner and secretary, also such clerical assistants as may be necessary; the salary of the chief examiner and secretary is \$3,000 a year.¹²

The state civil service commission may make all rules and regulations for carrying into effect the provisions of the civil service law. It is required to keep records of all examinations, applications for appointments and of causes for removals. It exercises the right to investigate matters pertaining to the enforcement of the civil service act and of all rules and regulations of the commission. To this end the commission has power to summon witnesses and compel their attendance. Section 10 of the act provides that:

"It shall be the duty of all the officers of this state or of any municipality thereof that may adopt the provisions of this act, to conform to, comply with, and to aid in all proper ways in carrying into effect the provisions of this act, and the rules and regulations prescribed thereunder and any modification thereof. No officer or officers having the power of appointment or employment to the civil service of this state, or to that of any municipality thereof...shall...select or appoint any person for appointment, employment, promotion or rein-

¹¹ The president receives an additional \$500 a year.

¹² Laws 1908, Ch. 156.

statement, except in accordance with the provisions of this act and the rules and regulations prescribed thereunder."¹³

Thus the county is brought directly under the control of the state civil service commission in regard to the appointment and removal of office holders. All public officers are divided into the classified and unclassified service. The unclassified county service includes all officers elected by popular vote, officers appointed by governor, all "heads of departments," and the members of commissions and boards.¹⁴ The classified county service includes the four groups, designated, respectively, exempt, competitive, non-competitive, and the labor class. Under the exempt class is included the deputy or first assistant of the principal officer, the legal assistants to the law department, the secretary or clerk of each department, board or commission, one private secretary or clerk of each judge or each principal executive officer; and all physicians.¹⁵ Under the provision of the act relating to this class the operation of the law is fairly clear; less controversy arises in regard to what positions belong under the exempt class than arises in connection with the competitive groups.

Under the competitive class is included all positions, the appointment of which must be made from an eligible list of candidates who have passed civil service examination. Questions frequently arise regarding appointments in this class, and it must rest with the commission to determine when a proposed appointment is a competitive one. An appointment in the competitive class can be made only after a competitive examination has been held

¹³ Laws 1908, Ch. 156, Sec. 10. Chapter 189 of the laws of 1912 gives power to the civil service commission to institute actions at law or equity to enforce the provisions of the law and the rules and regulations adopted by the commission. One of the most effective provisions of the civil service law is that which gives to the commission the right to certify pay rolls of the county. In this way the commission is able to prevent the padding of the county pay rolls by refusing to certify to the addition of any person or persons whose salaries have not been certified to by the commission.

¹⁴ Ibid. Section 2. The civil service law is followed closely in the above, but only in so far as it applies to the county government.

¹⁵ Laws 1912, Ch. 332, Sec. 13.

which is open to all applicants.¹⁶ The law defines the competitive class to include "all positions for which it is practicable to determine the merit and fitness of applicants by competitive examination; also all positions . . . in each and every branch of the classified service, except such as are in the exempt class, the non-competitive class or the labor class."¹⁷ In short the qualifications necessary for any one position falling under the competitive class must be appropriate to the position.

The non-competitive class includes "such positions as are not in the exempt class or the labor class and which it is impracticable to include in the competitive class. Appointments for positions in the non-competitive class shall be made after such non-competitive examination as shall be prescribed by the rules of the civil service commission."¹⁸

For the proper administration of the civil service law it has been necessary to establish several branch offices in different parts of the state.¹⁹ The establishment of these was made necessary by the growing need for a closer supervision over the various localities. "Through these local offices," the commission explains, "a considerable portion of the work of arranging for places for holding examinations and other matters of detail have been handled, as well as investigations into the character of the work performed by the employees in the various

¹⁶ For example, the civil service commission after holding a hearing in 1915 decided that the position of superintendent of bridges created by the board of freeholders and filled by a political appointee of the board, was a competitive position requiring an examination by the commission. The board of freeholders contended that the position was an executive one and not subject to the rules relative to the competitive class. Their contention was denied by the commission.

¹⁷ Laws 1911, Ch. 24, Sec. 1. Such positions in the competitive class may, however, be filled from promotions, reinstatements or by transfer.

¹⁸ A non-competitive board of examiners for the Hudson County Court House is appointed by the Civil Service Commission, and is composed of three freeholders. Minutes 1913, p. 71. At the county institutions the non-competitive class includes nurses, attendants, waitresses, cooks, etc.

¹⁹ That for Jersey City and Hudson County is located at the city hall in Jersey City, where a complete list of the county and city employees may be found.

departments and institutions of local government for the purpose of classification and examination."²⁰

There is need at the present for an extension of the work of "investigation into the character" of the official duties of county employees. The civil service commission has as yet been able to make classifications only in a very general way; its investigations have been limited to a large degree, and as a result there are many positions in the county which a minute investigation by the commission would prove to be unnecessary. A more detailed investigation would show also that certain salaries paid are out of proportion to the work performed. Such conditions are violative of the fundamental principle of civil service, and they constitute defects in the government which the civil service law is intended to eradicate. One remedy for the conditions obtaining may be found in a systematic standardization of salaries and services. This should be done in order that character of work and not political preferment, will determine the salaries to be paid. A standardization of salaries and of services in the county would involve much investigative work and comparison of data. The cost of similar services in other counties and municipalities must be obtained for comparison; for in this way facts may be presented which cannot be disputed.

To illustrate, let us say: Hudson County pays out more in salaries for its register's office than does Essex County. Hudson County's register has less business to care for than the register in Essex County. The salaries in Hudson County are greater and the work performed is less. To substantiate: In 1913 the total number of deeds, mortgages, chattel mortgages, assignments and releases recorded in Hudson County was 23,772 as against 35,702 in Essex County. Hudson County pays \$75,000 a year for salaries in the register's office; Essex County pays only \$40,000. It thus appears that the cost of recording a deed or mortgage, etc., in Hudson averages \$3.11 while the cost for the same work

²⁰ Report of the State Civil Service Commission 1914, p. 7.

in Essex is only \$1.99. It is not necessary to go beyond such facts as these to show that there is needless expense in the register's office in Hudson County. This is the kind of comparisons and facts that a proper investigation of any office by the civil service authorities should bring out.²¹

Mindful of the opportunity of developing this side of the administration of the civil service law, the commission has recently urged the matter of personal efficiency records for the public employees. The following statement is contained in the report of the commission to the governor:

"Early in the history of the Commission a plan for recording the efficiency of employees by means of monthly ratings made by departmental heads was adopted. Heads of departments have many of them proven lax in making reports, and there is reason to believe have not treated the preparation of the same with proper seriousness. Yet the matter is one of vital concern to the State or municipality, and to the worthy employees. The zealous and efficient should be recognized in order that there may be a continual spur to the best work, and tardiness, slothfulness and inefficiency penalized. On departmental records must necessarily largely depend the rating of candidates for promotion and if these are incomplete or inaccurate, promotion cannot be fairly made. In certain Western States, it is the duty of the Civil Service Commission which receives a special appropriation therefor, by a thorough inspection of the work of each department to determine the efficiency rating of each employee. The methods employed are elaborate and expensive, costing in Cook County, Ill., alone \$40,000 per annum and would seem, too, to largely encroach upon the supervisory power and right of the department head. The commission has now under consideration the adoption of the plan used by the New York City Commission, which provides for an efficiency committee of three superior employees in each department nominated by the head of the department of the Civil Service Commission for ratification, which committee receives reports from the department head and prepares the efficiency schedules which at stated periods are inspected by the Civil Service Commission. The plan seems sufficiently definite for present purposes at least and would not add greatly

²¹ These facts are based upon the statements of the deputy register of deeds for each of the counties of Hudson and Essex. The explanation of the variance of salary expense in the two counties is to be found in the fact that Essex County employs female typists who are allowed one-third of the fees. This arrangement is business-like and the cost to the taxpayers is reduced accordingly.

to the present expense of administering the Civil Service in this State."²²

With the extension in this way of the administrative work of the civil service commission, it may be considered doubtful whether the state commission will adequately meet the individual requirements for the larger municipalities and counties of the state. The possibility is that a separate board may have to be created for the counties of the first class. Such a board would be able to concentrate its supervisory work to this particular county alone; there is need for a combined bureau of civil service and bureau of efficiency for Hudson County alone. Such a bureau would answer the same purpose as that recently created for the county of Los Angeles, provision for which was made in the recent county charter, and which is described in the following article from the Citizens Bulletin, September, 1914:

"In the new charter of Los Angeles County, California, provision is made for a county bureau of efficiency. The county civil service commission is given the power to provide 'for the establishment of a bureau of efficiency, consisting of the Commission, the Secretary thereof and the Auditor, for the purpose of determining the duties of each position in the classified service, fixing standards of efficiency, investigating the methods of operation of the various departments, and recommending to the Board of Supervisors and department heads measures for increasing individual, group and departmental efficiency, and providing for uniformity of competition and simplicity of operation. The commission shall ascertain and record the comparative efficiency of employees of the classified service and shall have power, after hearing, to dismiss from the service those who fall below the standard of efficiency established.' The county auditor, in explaining what the bureau has done, states that on account of the large amount of work imposed upon the civil service commission in connection with the establishment of their department, the efficiency work has not been fully or carefully considered or thoroughly followed out. He says: 'The work which we have done so far is merely the examining of those departments which have been referred to us by the supervisors for action and making recommendations as to the number of employees needed and the salaries which should be paid.'"

²² Report of Civil Service Commission, 1914, p. 17.

COUNTY SUPERINTENDENT OF SCHOOLS

The county superintendent of schools is an appointee of the commissioner of education of the State of New Jersey—the state board of education approving such appointment. The county superintendent holds office for a term of three years from the date of his appointment and until his successor has been appointed.²³ He may be removed from office for cause by the state board of education. He receives a salary of \$3,000 a year which is paid by the state. The law provides that “each county superintendent . . . shall give particular attention to actual and personal supervision of schools and shall devote his entire time to the duties of his office. No person shall be appointed as county superintendent of schools unless he shall hold the highest teacher’s certificate issued in this state and shall have been a resident of the county for which he is appointed for at least three years immediately preceding his appointment.”²⁴

The county superintendent in Hudson County does not exercise any power of “control” over the educational policy of the several school districts within the county.²⁵ Each municipality in the county has its own independent public school system, and there are no rural schools owing to the urban character of the county. With regard to matters affecting educational policy, the county superintendent may advise and cooperate mutually with the directing officers of the several local school systems in the county.

The county superintendent of schools acts chiefly as distributor of the state school moneys among the several municipalities in the county. The law provides that on or before the fifteenth day of March in each year the respective local school boards must each certify to the county superintendent the total number of teachers em-

²³ Laws 1912, Ch. 367.

²⁴ *Ibid.*

²⁵ In Hudson County the work of the county superintendent is generally office work. Visitation of schools, certification of teachers, conducting of teachers institutes are not necessary to any large extent owing to the advanced development of the city school systems.

ployed and the number of pupils attending in their particular school districts.²⁶ On this basis he is directed by law to apportion the school funds received from the state; he must allow so much to each school district in proportion to the number of school principals, teachers and in proportion to other standards of efficiency.²⁷

²⁶ Laws 1912, Ch. 141.

²⁷ Funds may be withheld from a municipality which has failed to pay its state school tax. While the office is more like a branch of the state department of education than it is a county office, the county superintendent is the chief school officer in the county. His office comes into intimate contact with the financial system of the county in respect to the handling of school moneys.

CHAPTER VIII

THE COUNTY JUDICIARY

To describe the organization of the judiciary in Hudson County it is necessary to keep in mind the higher courts of the state judiciary and their relation one to the other. These courts are named in the order of their importance in that section of the state constitution which provides that the "judicial power shall be vested in a court of errors and appeals in the last resort. . . . a court of chancery; a prerogative court; a supreme court; circuit courts; and such inferior courts as now exist" or may hereafter be established.¹ In this list of courts, only the last three need be considered in discussing the organization of the judicial system as affecting Hudson County.²

THE SUPREME COURT

The highest judicial office as far as the county is concerned is the justice of the supreme court. This court is a state court of which Hudson County alone constitutes one circuit. One or more justices of the supreme court may hold circuit court in each county. One justice of the supreme court in practice is assigned to the Hudson County circuit. Members of the supreme court are appointed for a term of seven years and receive a salary of \$10,000 a year which is paid by the state. The justice of the supreme court who is assigned to Hudson County may preside over, and act concurrently with the judges of the several inferior courts in the county which are mentioned in this chapter. In practice, however, the

¹ Const. Art. 6, Sec. 1.

² The court of errors and appeals consists of the chancellor, the justices of the supreme court and six judges. The court of chancery consists of the chancellor, the chancellor also is surrogate general of the prerogative court.

justice of the supreme court seldom sits in the lower courts.

THE CIRCUIT COURT

Since Hudson County on account of its size constitutes one circuit of the supreme court, the circuit court is held by two special circuit judges who are appointed by the governor for a term of seven years and who receive \$9,000 a year. The constitution provides:

"The circuit courts shall be held in every county of this state, by one or more of the justices of the supreme court, or a judge appointed for that purpose, and shall, in all cases within the county, except in those of a criminal nature, have common law jurisdiction, concurrent with the supreme court; and any final judgment of a circuit court may be docketed in the supreme court, and shall operate as a judgment obtained in the supreme court from the time of such docketing..... Final judgments in any circuit court may be brought by writ of error into the supreme court, or directly into the court of errors and appeals." (Const. Art. 6, Sec. 5., 1-3.)

The legislature may vest in the circuit courts chancery powers so far as relates to the foreclosure of mortgages and sale of mortgaged premises.³ A writ of error on appeal may be taken from the circuit court to the supreme court or directly into the court of errors and appeals.

COURT OF COMMON PLEAS

The court of common pleas is a court for the trial of civil actions, irrespective of the amount in controversy. It is, strictly speaking, a county court; it was in existence in Hudson County when the constitution of 1844 was adopted. By the language of the constitution it is referred to as an "inferior" court. The first section of the judicial article provides that the judicial power shall be vested in the several courts which have been mentioned above. A certain latitude, however, in changing the organization of the inferior courts is given to the legislature by the constitutional provision that the judicial power shall also be vested in "such inferior courts as now exist; and as may hereafter be ordained and established by law; which inferior courts the legislature may alter or abolish, as the public good shall require." From

³ Const. Art. 4, Sec. 7.

this provision it has sometimes been argued that the legislature may even abolish the court of common pleas. As a matter of fact, however, the court of common pleas is one of the most important parts of the county judicial system and it would be difficult to arouse any great weight of public opinion in favor of its abolition.

There are two judges of the court of common pleas for Hudson County. They are appointed by the governor for a term of five years, and receive a salary of \$7,500 a year which is paid by the county. The official title of the judges is that of President Judges of Court of Common Pleas. Besides constituting a court for civil actions the judges of the court of common pleas individually perform a great amount of administrative work in connection with the commitment of persons to the county and state charitable agencies, and in connection with other administrative matters which have been assigned to them by the legislature.

CRIMINAL COURTS

The criminal courts in the county are the court of quarter sessions, the court of general sessions, and the court of oyer and terminer. The justice of the supreme court for the Hudson County circuit may preside in each of these courts. In practice, however, he seldom participates in the trial of causes brought before them. The actual business of these courts is carried on under the judges of the court of common pleas. These judges may hold quarter sessions, general sessions or oyer and terminer court. In the first, trial is by jury; in the latter two, the jury right may be waived and cases tried by the judge. As a rule the grand jury indictments are handed down in the court of quarter sessions.

ORPHANS COURT AND SURROGATE

The justice of the supreme court and the judges of the court of common pleas comprise the orphans court. In practice this court is held by the judge of the court of common pleas.⁴ The orphans court has jurisdiction over

⁴ Laws 1898, p. 715.

matters respecting the existence of wills, the fairness of inventories, the right of administration and guardianship, and the allowance of the accounts of executors, administrators, guardians or trustees, etc. The clerk of the orphans court is the surrogate.

New Jersey, like New York, has a separate office for the transaction of probate matters; this office is known as the county surrogate. In Hudson County the surrogate is elected for a term of five years, and his salary is \$7,500 a year. The office of surrogate is primarily a judicial office and it is difficult to see why the idea of an appointive judiciary was not applied to it as to the other judicial offices. The county surrogate should be made appointive by the governor with the advice and consent of the senate. The surrogate's duties are technical; he is not what we may call a policy determining official. His functions are largely ministerial. The elective system is not the most approved method of choosing such public servants..⁵ The total salary expense of the surrogate's office to the county is about \$32,000 a year, which is exclusive of the cost of retranscribing records. The surrogate may appoint a deputy and such clerical assistants as may be necessary for the management of the office. These must be approved and their salary determined by the board of freeholders.⁶

JUVENILE COURT

The juvenile court in Hudson County exercises jurisdiction over all cases involving youthful delinquents. The judge of the juvenile court is appointed by the governor with the advice and consent of the senate. He receives

⁵ Formerly this office was on the "fee basis," that is, the surrogate was not paid a salary but was allowed to retain all fees.

⁶ The work of recording calls for a large force. Altogether sixteen record books "current libers," are kept in progress, as follows: Wills, proofs, etc., applications for administration letters, administration letters, administration bonds, inventories, guardians' letters, executors' and administrators' accounts, guardians' and trustees' accounts and inventories, assignments for benefit of creditors, miscellaneous bonds, miscellaneous records, orphans' court records, testamentary guardians' letters, orders limiting creditors, decrees barring creditors, releases and refunding bonds. The total receipts from these sources in 1913-14 was about \$30,000.

a salary of \$5,000 a year, which is paid by the county. A "delinquent child" under the terms of the act of 1912, is one "under sixteen years of age who violates any penal law or municipal ordinance, or who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding (except the crime of murder and manslaughter) or who is a disorderly person or habitual vagrant, or incorrigible or immoral." The delinquent child is brought into court and a hearing is given. Witnesses are examined, and the judge gives his finding. The judge may order the release of the child or commit him to an institution. Hudson County has no house of detention, consequently youthful delinquents are sent to the county jail pending their final disposal by the court.⁷

COUNTY CLERK

In New Jersey the terms, county clerk, and clerk of the courts, are synonymous; the county clerk is clerk of all the county courts, with the exception of the orphans court. He is elected for a term of five years and receives a salary of \$7,500 a year. There are no special reasons why the county clerk should be an elective official as at present. On the contrary there are certain arguments from actual experience why the office should be made appointive by the justice of the supreme court. As in the case of the surrogate, the county clerk performs technical and ministerial duties. The work of the office is highly important and is such as to call for an official who knows the business of his office. Rarely has the elective system given the county a clerk who is interested primarily in improving the administration of his office rather than in making it serve for political purposes. The efficiency of the clerk's office is due in large measure to the deputy.⁸ The county clerk appoints his deputy and other assistants, such appointments being subject to the approval of the board of freeholders who also fix the salaries of each.

⁷ Supra, Chapter 4, County Jail.

⁸ The county clerk employs thirty-five clerks at an annual expense to the county of \$50,000. The income of the office is about \$40,000 a year.

The county clerk is responsible for the filing, entering and enrolling proceedings of the several courts. Certificates of incorporations, naturalization papers, building contracts and various other miscellaneous documents are issued and made matters of record by the county clerk.⁹ He is required, furthermore, to act in certifying the final election returns to the secretary of state; he also acts as distributor of all printed election matter receivable from the secretary of state.

REGISTER OF DEEDS

Closely associated with the offices of county clerk and surrogate is the office of register of deeds and mortgages. The county register is elected for a term of five years, and receives a salary of \$7,500 a year. It is the duty of the register to keep record of deeds, mortgages, assignments, releases, and, in general, all records pertaining to real estate transfers. The law requires that instruments shall take effect from the day and hour of filing in the register's office; this is because a conflict of instruments may arise which would confuse the title to any piece of property. Thus in the preservation of property rights, the office of register is most important.¹⁰ The work of recording, calls for extreme care and accuracy on the

⁹ The several records (with their indices) kept in the office in addition to the above mentioned are: Judgments of the circuit court and court of common pleas; judgments docketed in the court of common pleas from district courts and courts for the trial of small causes; attachments issued out of the circuit court; mechanic liens; recognizances entered into before the county criminal courts—and also filed by the committing magistrates; bonds given to sheriffs as in replevin cases, etc., all of which are generally liens until outlawed or cancelled upon the real estate of defendants, etc., and must be carefully searched pending the transfer of real estate; other records entered in the progress of suits and proceedings are executions, receipts for payment of transfer inheritance tax, condemnation proceedings, etc.

The indices in this office of records affecting real estate are not excluded in any office in the state, and the work of the title searcher is made an easy task.

¹⁰ Says Fairlie: "The office of recorder is clearly an important one. The protection of property rights is in a large measure dependent on the accuracy and honesty of the records, but the duties can hardly be considered political or such as to make necessary the present system of popular election to the position. Indeed, the elective method by promoting frequent changes in the personnel, prevents the development of the most efficient expert service." Local Government, p. 130.

part of clerks and employees of the register's office.¹¹ The register appoints a deputy and such assistants as are necessary; these appointments are confirmed by the board of freeholders, and the salaries fixed by that board also. The total salary expense of this office to the county is about \$75,000 a year, and the receipts about \$50,000. The register, like the clerk, should be appointed by the justice of the supreme court. Under the present elective system the position of register has become merely a prize for political workers.

THE SHERIFF

Although the sheriff in Hudson County has become little more than the ministerial officer of the county courts, the office itself retains to a large extent its historical position of leadership due to its important political

¹¹ Indexing of land records in this office is the most responsible work done in the court house. Two index systems prevail, side by side, viz: the Lusk Analytical Index and a Block System, together constituting in theory a perfect system. From many errors made in it, the searcher, however, regards the Block System as unsafe for title or responsible work, and adds very materially to his labors by also searching the Lusk System. Lack of efficiency in running the Block System deprives Hudson County of the full value of the very best index to its land records since 1889. A verification of the past work of the Block System would correct the inaccuracies provided skilled experts did the verifying. This Block System excels that in force in New York City in that short descriptions of property affected are entered in the index. The maps of Hudson County since 1889 are all indexed on the Block System and are well kept by competent clerks. This system of map indexing has been lately copied and introduced in New York City.

The primitive method of copying instruments into record books prevails (although typewriting is employed) depending upon the accuracy of the individual clerk, whose attention is seldom riveted on his work. New methods are being tried elsewhere and may yet give better results, the photographic method being best, but needing perfecting as a process. Printing by a responsible contractor is yet too expensive but can be made less so by having Title Companies and others subscribe for copies of the records and thereby reduce the cost; until, therefore, some of these methods take the place of the present, or until registration of titles (Torrens system) is generally adopted, in which instruments are only filed and not recorded at length, the real estate owners must struggle with the archaic and suffer from errors of mental and other lapses of the entering and copying clerks.

The Hudson County records meet with criticism in this respect, as exemplified by the recent action of Building and Loan Association officers complaining of errors in the records—while every real estate lawyer can give instances of trouble and cost caused to clients by the clerical shortcomings of the county employees in this office.

aspects.¹² As a ministerial officer the duties of the sheriff consist chiefly in carrying out the orders of the courts. For the serving of court papers the sheriff receives various fees which are reported by him to the county collector under the heads of courts, executing chancery writs, executing chancery executions, executing law writs, executing miscellaneous writs, fines and costs, drawing jurors, transportation of law executors. In its political aspects, on the other hand, the office of sheriff, presents attractive features on account of the opportunities it affords to whoever aspires to be the political leader of the county.¹³

The sheriff in Hudson County is elected for a term of three years; he receives a salary of \$10,000 a year. He may appoint an under-sheriff, and such other clerical assistants as may be necessary to the performance of his ministerial duties.¹⁴ All appointments and the amount of the respective salaries involved, are confirmed by the board of freeholders. The sheriff may also appoint all officers in connection with the management of the county jail.¹⁵

JURY REFORM

One of the chief sources of the sheriff's power is in his authority to select juries. Formerly this function was placed entirely in the sheriff's control, with the result, that it often opened the way to lawlessness among certain classes who were of the same political party as the sheriff. Thus, in many instances the sheriff selected grand juries which were relied upon to protect the perpetrators of huge election frauds. The party "bosses"

¹² In Hudson County the preservation of law and order is more directly under the supervision of the police departments in the several contiguous municipalities, than it is under the active control of the sheriff.

¹³ The present incumbent (1915) resigned his seat in Congress to assume the sheriff's office.

¹⁴ In Hudson County the court appoints and maintains forty-three constables, or court attendants as they are now called, to carry out the orders of the courts and act generally as court attendants. These are directed by the sheriff. The annual expense of the constables is about \$54,000. In the constable system lies the nucleus for a state constabulary.

¹⁵ *Supra*, Ch. 4.

controlled the sheriff, the sheriff selected the grand juries, and the grand juries refused to indict.¹⁶ The situation was aptly described by Governor Wilson thus: "A system of mixed politics and government whose practitioners have been bad men. They have been professional practitioners which may be taken as accounting for their success. If the sheriff belonged to a gang, the grand jury was depended upon not to go too far. The prosecuor, if he belongs to a gang, will be 'discreet.' The judge may be complaisant."

In May, 1913, the legislature passed two acts relating to jury reform, one of which, popularly called the Chancellor-Sheriff act, was subsequently adopted in Hudson County by popular referendum. Under the terms of this act the sheriff is still permitted, however, to participate in the selection of juries. "The Chancellor-Sheriff act provides for the appointment in each county by the chancellor, of a citizen who shall be resident in that county, of an opposite political party from the sheriff, who with the sheriff shall be designated Commissioner of Jurors. Presumably, the powers of the commissioners are equal. But the fact that the commissioner appointed by the chancellor holds office for one year, and the sheriff for three years would in the ordinary course, increase the weight and dominance of the sheriff."¹⁷ Thus, according to Judge Charles L. Carrick, "The difficulty with our juries, both grand and petit, arises from their selection by partisan sheriffs, not with the idea of representing the intelligence and moral sense of the community, but to accomplish political and private ends, and to keep certain classes of law breakers immune from the operation of the law. No remedy will be adequate which leaves the choice of jurors in the hands of the sheriff." Experience under the new act since 1913 shows a slight improvement in the personnel of the juries in Hudson

¹⁶ For a popular account of the efforts of Governor Wilson to secure a jury reform act see Sackett; *Modern Battles of Trenton*, Chapter 39.

¹⁷ From an article by Hon. Charles L. Carrick in the *Citizens Bulletin*, October, 1913.

County.¹⁸ The grand jury investigations from time to time have a wholesome effect on the county administration. Administrative officers are kept on the alert in preventing their individual departments from coming to the attention of the grand jury investigators.

THE PROSECUTOR OF THE PLEAS

The prosecutor of the pleas, as he is called in New Jersey, is appointed by the governor with the advice and consent of the senate. He holds office for five years and receives a salary of \$8,000 a year, which is paid by the county. He has the power to appoint two assistant prosecutors, the first assistant receives \$6,000 a year and the second assistant \$4,000 a year.¹⁹ The prosecutor of the pleas is charged with the prosecution of all persons accused of crime under the laws of the state. In performing his duties the prosecutor of the pleas in New Jersey acts as an assistant to the attorney general of the state. The law provides that there shall be "appointed in each county some fit person prosecutor of the pleas in the absence of the attorney general; and further, to do and perform such acts and things in behalf of the state in and about such prosecution as the attorney general might or ought to do if personally present."²⁰ The expenses of the prosecutor's office are paid by the county and are included in the judicial appropriation.

THE CORONERS

The constitution of New Jersey provides that coroners shall be chosen in the respective counties who "shall be elected. . . . at the elections for members of the general

¹⁸ Laws 1913, Ch. 20. In his measure to the legislature in January, 1915, Governor Fielder recommended an amendment to the Chancellor-Sheriff jury act, stating, "it is the intention of the act that no jury commissioner shall be of the same political party as the sheriff of his county, but jury commissioners are appointed for one year, and there is no direct provision for vacating the office upon the election of a sheriff belonging to the same party."

¹⁹ Laws 1908, p. 137, Sec. 1. The first assistant prosecutor is required by law to attend the sessions of the grand jury. The prosecutor's office employs numerous detectives.

²⁰ Laws 1877, p. 56, Sec. 1.

assembly, and they shall hold their office for three years." There are three coroners in Hudson County, one of which is elected every year. Their compensation is paid by the county in the form of fees for actual services instead of on the fixed salary basis. The annual expense for coroner's services is about five thousand dollars. As stated above, the coroner's system has been modified to some extent in New Jersey, in that inquests may be held only upon the authorization of the county's expert medical examiner.²¹ The functions of the coroners comprise the holding of inquests, empaneling of juries and summoning of witnesses, and the attending to all duties in securing a verdict in cases where death is attended with suspicious circumstances and has called for an inquest by the coroner.

PROBATION OFFICE

The probation officer is an officer of the courts who serves as a means of ascertaining whether offenders against the law may be placed on probation rather than be sentenced to the penal institutions. Authority was granted in 1906 to the judges of the court of quarter sessions to appoint a probation officer for the county.²² The act also provided that assistant probation officers might be appointed by the chief probation officer, with the approval of the board of freeholders.²³ The probation officer keeps a full record of the investigations made by his assistants into each case which has been committed to his care. When so required by the court, he must inquire into the antecedents, character, and the offense of any such person convicted of crime. On the record of such investigation the court may order the release on probation of the person convicted. Section 1 of the act of 1907 provides: "In case the record of any person convicted of crime shall, in the judgment of the court in which the conviction is had, so justify, the court may, instead of imposing the penalty provided by law for such

²¹ *Supra*, Ch. 5.

²² Laws 1906, p. 155.

²³ Women may be appointed as assistants to probation officer.

crime, order him to be released on probation under the care of the probation officer of the county for such time and upon such conditions as the court in its order may determine, which conditions may include a suspension of sentence, the payment of a fine or the costs of prosecution or both,"²⁴

The probation officer may arrest and recommit those probationers who may violate the terms of their parole. The more important duties of the Hudson County probation officer comprise attendance at courts, keeping control over, and in touch with, the probationers placed under his charge. Since the establishment of the department the amount of work has gradually increased until about 1800 probationers have come under the control of the probation office.²⁵ This number requires the services of persons well qualified to deal with the various kinds of cases coming within the province of the probation office. The following news clipping will illustrate the qualities sought in selecting suitable persons for work of inspection: "Miss ——— methods in dealing with criminally negligent parents and her fearlessness were evidenced in an incident which occurred early in her experience as a school nurse. She was assigned to look up a child living in ——— Street in one of a row of two story brick hovels. She knocked at the door and was refused admittance to the house. Convinced from the reports she had received that the child was badly in need of succor, being half starved, sick and neglected, she went to the house next door, climbed to the roof by way of the skylight, lifted the skylight to the house she desired to inspect and descending the ladder walked in upon the drunken mother and father of the child. She sent the child to the hospital and caused the arrest and prosecution of the parents."

COURT EXPENDITURES

Students of Hudson County government may echo the remarks of Mr. Otto G. Cartwright, Secretary of the

²⁴ Laws 1907, p. 465.

²⁵ The number increased from 400 to 1,800 in eight years. Minutes freeholders 1913, Feb. 13.

Westchester County (N. Y.) Bureau of Municipal Research, who said recently, "One of the greatest needs of the community is the reduction of the cost of administering justice, and the expedition of the trial of causes and the delivery of judgment. The drafting of jurors, the granting of exemptions, the question of repetition of services and fees, and all the multitudinous expenses of court services which seem to the layman exorbitant and useless, need to be studied and methods devised of freeing the poor man from as much of this burden as possible."²⁶ Supervisor James F. O'Mealia in his message of January, 1914, said: "The appropriations for this and last year were \$250,000 and we have had to make up a deficiency each year of about \$50,000. This seems to be and is a very large sum of money for the conduct of the courts. It seems reasonable to me that the sum of \$250,000 is ample funds for this purpose, and efforts should be exerted to keep within this appropriation."

An analysis of the expenditure for "courts" was published recently and is appended to show what items of expense must be met each year in connection with the administration of justice in Hudson County.

DISBURSEMENTS—1912-13.

Salaries, Supreme Court, Circuit Court, Common Pleas Court, Juvenile Court and Probation Office. (Does not include Salary of Supreme or Circuit Court Judge).....	\$57,878.77
Salary, Jury Clerk	1,800.00
Salaries, Index and Retranscribing Clerks in Surrogate's Office	10,629.64
Salaries, Index and Retranscribing Clerks in Register's Office for the period ending Nov. 30, 1912.....	1,352.50
Salaries of Court Officers	46,530.94
Taxed Bills of Costs	43,046.13
Jurors' Fees, paid Sheriff	\$24,343.97
Drawing and summoning Jurors	6,883.89
Metal Discs for drawing Jurors	144.00
	<hr/>
	31,371.86
Salaries, Prosecutor's Office	\$39,435.65
Special Investigations	9,653.92
Expense of Prosecutors and Detectives.....	3,495.34

²⁶ Address before the New York State Conference for County Betterment, November, 1914, Schenectady, N. Y.

Police Expenses	853.18	
Coach and Automobile Hire	428.25	
Transcripts of Testimony	408.15	
Photographs	261.00	
		<hr/> 54,535.49
Transportation of Prisoners	2,160.09	
Witness Fees	1,079.26	
Expenses, Probation Officer	1,578.89	
Serving Subpoenas, Capiases, etc.	2,958.15	
Printing, Stationery and Law Books	3,374.53	
Rent of Judges' Chambers	442.00	
Extra Expenses—Elections	320.30	
Expenses, Juvenile Court Attendants	108.75	
Typewriter for Juvenile Court	83.03	
		<hr/> 191.78
Watchman for Charlton	58.17	
Transfer to:		
County Clerk's Fees and Expenses	\$14,368.31	
Surrogate's Fees and Expenses	1,431.21	
		<hr/> 15,799.52
Total Charges	\$275,108.02	
Credit Balance at Nov. 29, 1913	\$275,199.56	

NOTE: From Citizens' Bulletin, Feb. 1914.

CHAPTER IX

COUNTY FINANCIAL ADMINISTRATION

Every municipality within the limits of the several counties in New Jersey levies annually a state school, a county, and a local municipal tax. In New Jersey the state depends for the most part on revenue derived from taxes other than the general property tax. The revenues which are utilized for state purposes are taxes on first class railroad property, license taxes, inheritances, corporations, bank stock, etc. The state school taxes differ from the other kinds of state revenue in that they are collected by the local city and town tax collectors. They are then paid to the county collector to be turned over by that officer to the State Treasurer.¹ The municipalities and the counties, on the other hand, depend on the general property tax as their chief source of revenue. Increasing municipal and county expenses must be met by increasing the local tax rates, by adding new ratables, and by raising the assessed valuation of local tax ratables. Since the sources of local municipal and county revenue are closely prescribed by law, the local taxing officials have no discretion in adopting new sources of local revenue.

But, though the county and municipal authorities are restricted to the administration of the general property tax as their main source of revenue, the county derives certain minor revenues from other sources as well. These include all fees of the county officers, boards, courts, etc.; all interest moneys on county deposits; certain franchise

¹ An apportionment of school funds among the counties is made by the state board of education. While this apportionment works a hardship upon Hudson County in that the county receives much less than it contributes, it must be remembered that the public education is a function for the state at large to support and that the county receives certain other funds in return from the state in support of insane, tuberculosis, roads, etc., all of which tends to preserve a more equitable balance.

fees from electric companies making use of county property; certain kinds of permits; state aid in institutional care for the insane and tuberculosis; state aid in highway improvements, besides various other funds which are derived from the sales of county property and products. While some of these items are of a variable and somewhat uncertain nature they nevertheless constitute an important part of the annual receipts of the county, and as such they are relied upon each year as funds which may be applied to the expenses of the county.² The possibilities of increasing such sources of revenue are partially obscured to the official and to the public, for the reason that the annual tax budget makes little mention of such estimated revenue in connection with its statement of the estimated expense of the county. It would seem that it has not been the imperative obligation of any one department to be responsible for, and to increase such revenues to their fullest extent.

At present the opportunities for increased sources of county revenue are few; accordingly the question how to provide for the increasing items of county expenditure resolves itself chiefly into a discussion of how best to eliminate needless expenditure.³ To illustrate: Within the past fifteen years, the legislature has changed the large fee offices of the counties from the fee to the salary basis; that is, officers now receive fixed salaries, instead of being permitted to keep their fees. It was thought that the large profits accruing to the county officials, who were at that time permitted to keep all fees collected by them, would henceforth be turned over to the county and become a source of income. Experience was the reverse; with the introduction of the salary system into these offices, the clerical and working force of each was so increased that at the present time they are run at an

² The receipts from such sources in 1913-1914 were about \$300,000. See report of the Collector 1913-1914, p. 16-20.

³ A slight increase in the number of polls assessed in Hudson County in 1914 caused a correspondingly slight increase in the revenue from that source. In 1913 there were 8,112 polls assessed; in 1914 there were 26,651.

annual deficit to the county whereas under the former system the official incumbents were supposed to become wealthy out of the profits involved. Thus, with evidence from past experience to show that the county is being deprived annually of a possible source of revenue, the responsibility of such a condition rests upon the board of freeholders who have the power to fix the salaries of employees in all such offices, thereby enabling them to determine the number of employees needed. The question is simply one of economy.

At the present, the county revenue is supplied for the most part by thirteen separate municipalities as follows:⁴

City of Jersey City	\$1,438,512.25
City of Bayonne	312,199.24
City of Hoboken	400,809.15
Township of North Bergen	68,873.86
Borough of Secaucus	19,430.13
Town of West Hoboken	142,467.15
Town of West New York	91,632.56
Town of Union	80,703.03
Township of Weehawken	110,188.23
Township of Guttenberg	18,332.93
Town of Kearny	105,460.36
Town of Harrison	69,321.40
Borough of East Newark	18,255.22
Total Receipts	\$2,866,185.71

Thus it will be noted that over one-half of the county's revenue comes from its largest municipality, Jersey City. This apportionment among the municipalities is made on the basis of the combined assessed valuation of all real estate, second class railroad property and personal property which is taxable in each municipality.⁵ The task of apportioning county taxes among the municipalities belongs to the county board of taxation. This board also fixes the local tax rates.⁶

Primarily, therefore, collection of county taxes is in the

⁴ Report of County Collector, 1913, p. 18.

⁵ The total net valuations taxable in Hudson County for 1915 were \$538,748,794, and the total amount of exempt property \$48,566,593. Thus the amount of exempt property is about one-eleventh of the net valuation which is taxable. *Ibid* p. 55.

⁶ *Supra*, Ch. 6.

hands of thirteen separate municipalities; each municipality has its tax assessors and tax collector. It is required of each local tax collector, that "before the 22nd day of December out of the first money collected" he shall pay to the county collector of the county, the state and county taxes, required to be assessed in his taxing district.⁷ Abuses have appeared in this system from time to time. Municipalities have in some instances been slow to pay the full amount of their county taxes, due to the failure to collect promptly. On this account the county has been forced frequently to borrow money in anticipation of taxes for current expenses.⁸ Thus the tendency towards disorder in the collection of county taxes was pointed out by the supervisor in his message of January, 1913; he said: "A question which I am informed causes great trouble in the collection of county taxes is the fact that the fiscal year of all municipalities does not begin at the same time. If possible, this should be remedied by legislation."⁹

The expenditures of the county are governed in the main by the act relating to county expenditure of 1878 as amended in 1902.¹⁰ The principal items of county expenditures are included and classified in this act, but there are other expenses which the county is obliged to meet besides those mentioned in the regular act. These have been created from time to time by the legislature until they have recently amounted to about one-fourth of the total annual appropriation.¹¹ The act of 1878 provided for a classification of county expenditures under three divisions, namely: Current Expenses, Debt and Interest, and Public Works. This classification has been

⁷Compiled Statutes New Jersey, p. 5125.

⁸The comptroller's report for Jersey City, 1913, showed an enormous amount of unpaid taxes running back through the ten years previous. Page 6.

⁹Minutes of Freeholders, 1913, p. 5. The county collector, Mr. Frederick Rider, in 1914 announced that all taxes due the county from the municipalities has been paid by the end of June of that year. See report of collector, p. 8.

¹⁰Law 1878, p. 248, L 1902, p. 188.

¹¹See Schedule "B" of appropriations 1914-1915.

followed strictly in some respects, while in others it has been departed from in practice. For example Hudson County still appropriates scrupulously a certain amount each year for "incidentals," but it does not so carefully classify the budget according to the three headings specified above. Instead, all expenditures are classified under "A." Expenses controlled by the freeholders, "B." Expenses not controlled by the freeholders, "C." Bonded Debt, principal and interest.

The act of 1878 prescribes a classified form for the county expenditures on the following order.

I. CURRENT EXPENSES

Courts.

County Jail.

County Penitentiary.

County Poor House.

Other Institutions.

Support of Lunatics.

County

State

Compensation and Expenses of freeholders and committees.

Salaries of Officers

Fees of Coroners.

Elections.

Stationery

Advertising, Publishing and Printing.

Incidental Expenses.

II. DEBT AND INTEREST

Payment for principal of bonded debt falling due each year, or for sinking fund.

Payment of interest on bonded debt.

Payment of bank discounts on temporary loans.

III. PUBLIC WORKS

Permanent improvement public buildings and grounds.

Erection and repair of bridges or culverts.

Improvement and repair of public highways.

For the use of county park commission.

But the manner in which the act is followed in making appropriations for the county at present, may be illustrated by referring to the following list of lump sum appropriations adopted by the board of freeholders in July, 1913, for the fiscal year beginning December 1, 1913:

ESTIMATED EXPENDITURES, HUDSON COUNTY

SCHEDULE A. APPROPRIATIONS WHICH ARE EXPENDED BY THE BOARD OF FREEHOLDERS.

	1913-1914
Public Grounds, Court House and Jail	\$ 150,000
County and State Lunatic Asylum \$150,000, less \$75,000 estimated to be paid by State for support of indigent patients	75,000
Alms House and Hospital Annex	120,000
Penitentiary	75,000
Smallpox Hospital	6,500
Storeroom	7,500
County Stables	10,000
Compensation, County Supervisor and Members	16,000
Salaries of officers	39,000
Printing, advertising and stationery	15,000
Incidentals	15,000
South Bridges	5,000
North Bridges	25,000
West Hudson Bridges	21,000
Public Highways	40,000
Lighting of Public Highways	14,000
Mechanics, not attached to any institution	50,000
Newark Plank Road and Bridges	22,000
Engineering Department	13,000
Department of Weights and Measures	3,000
Soldiers' and Sailors' burials	6,500

SCHEDULE B. APPROPRIATIONS WHICH ARE EXPENDED UNDER THE CONTROL OF BODIES OTHER THAN THE BOARD OF FREEHOLDERS

Tuberculosis Hospital \$115,000 less \$25,000 estimated to be paid by State for support of indigent patients.....	90,000
Courts, etc.	250,000
State Board of Children's Guardians	45,120
Fees of Coroners, etc.	6,000
Expenses of Elections	145,000
County Board of Health and Vital Statistics	16,336
County Board of Taxation	12,000
Hospital for Contagious Diseases	6,000
Boulevard Commissioners	175,000
Epileptics and Feeble-minded Children	6,000
Maintenance New County Parks	100,000
Mosquito Extermination Commission	29,818
For the payment of Widows' Pensions (Laws of 1913).....	20,000
For the support of indigent poor in public hospitals of the county. (Chapter 312 Laws of 1913)	25,000

SCHEDULE C. APPROPRIATIONS FOR THE PAYMENT OF DEBT,
INTEREST AND SINKING FUND CHARGES.

Principal Newark Plank Road Bonds	1,500
Payment of bonded debt falling due in year	162,646
Payment of interest on county bonds	478,931
Payment of interest on prospective bond issues	42,000
Payment of interest on Park Comm. bonds	117,600
Principal of Viaduct bonds	15,000
Principal of refunded War Renewal bonds	15,000
Principal of Park Commission bonds	15,000
Principal of new County Bridge bonds	20,000
Principal of new Public Main Road bonds	20,000
Principal of new Hackensack River Bridge bonds	6,000
Principal of new Alms House bonds	3,000
Principal of Passaic River Bridge bonds	3,600
Principal of new Public Branch Road bonds	5,000
Principal of Boulevard Repair bonds	15,000
Principal of Baldwin Avenue Bridge bonds	1,500
Principal of Asylum Additional bonds	8,500
Principal of Belleville Turnpike Impt. bonds	3,500
Principal of Paterson P. R. (W. S.) bonds	60,000
Principal of new County Buildings bonds	20,000
Principal of Tuberculosis Hospital bonds	1,000
Principal of Paterson Plank Road Imp. bonds	
Special appropriation for grading and sodding Court House grounds	5,000
Special appropriation, deficiency interest 1910-11.....	
Special appropriation, deficiency courts 1911-12	
Totals	\$2,674,552
	<u>\$191,000</u>

SPECIAL: APPROPRIATIONS FOR COUNTY OFFICES, SHOWING
ANTICIPATED REVENUE FROM FEES.

For salaries of Register and Employees	75,000
For salaries of County Clerk and Employees	50,000
For salaries of Surrogate and Employees	32,000
For salaries of Sheriff and Employees	34,000
A Total of	<u>\$191,000</u>
Less the estimate revenues from said offices for the fiscal year, to-wit:	
Register	\$58,000
County Clerk	44,000
Surrogate	27,000
Sheriff	62,000
*A Total of	<u>\$191,000</u>

Mandatory expenditures which are fixed on the county by special statute, are destructive to an orderly system

* The budget as adopted thus portends to show that the four fee offices balance their total expense with their total income. This is an inaccuracy as shown above. [Ch. 8.]

of drawing up the county budget.¹² For example, let us suppose that the normal revenue of the county is estimated at a certain amount and that county appropriations are made annually with that amount in view. If the legislature then passes a primary law or some other act equally expensive to the county, the county must make provision immediately for the newly added expense. The board of freeholders accordingly is obliged to issue temporary loan bonds to meet the unexpected emergency. Or, to take another example, the legislature may create a new county board or commission with power to make requisition on the county board of freeholders for an amount based upon a certain percentage of the county's assessed tax valuations. In such cases the actual amount which may be required of the county is not being specified in definite terms, is not clearly understood, and, as a result, the county finds itself suddenly face to face with a situation which calls for a vast sum to be provided either by tax levy, or by bond issue, as the case may be. Other examples of mandatory legislation comprise all salary increases, all pension acts for public employees, etc.

The difficulty of reconciling such mandatory expenses with the county budgetary system is quite evident. The local county authorities should know best the amount of income that the county may expect. The appropriations each year—although at present they are made quite carelessly—should be made up with some idea of the relation of expense to income. This possibility, however, is minimized since, as we have stated, the legislature may mandatorily fix new and increased expense on the county government, requiring the county board of freeholders to provide the money in all such cases. It is in such financial chaos as this, that the argument for local home rule for counties finds the most productive ground. In a county like Hudson the demand for less interference at the hands

¹² Examples of this kind of mandatory expenses have been treated in Ch. 4. "The county building committee;" also in Ch. 6.

of the legislature is increased by the fact that it is already difficult to fix responsibility for affairs on some one official or group of county officials due to complex system of county government. With a further division of responsibility between the state legislature and the board of freeholders, the situation becomes almost hopelessly complicated.

Therefore, as regards the drawing up and adopting of the county budget the county board of freeholders should be let alone. But their methods in budget making should, at the same time, be more closely prescribed by law. The budget making process should be open at every stage to the public's inspection. As pointed out by the Citizens Federation in a statement of July 14, 1914, the matter of adopting the county budget should be conducted openly along well understood and definite lines. All proposed increases in the budget should be fully explained; the budget should not invite extravagance. It should never be possible for the board of freeholders to increase salaries and create positions after the budget has once been adopted.¹³ The statement of the Federation was as follows:

"Every citizen should be interested in the county budget. We believe that one of the surest roads to economy is in an intelligent method of making appropriations. Certain items of expense are definitely fixed from year to year. These may be designated as the steady items in the budget. Some items are subject to increase and others are likely to be less one year than another. These are the flexible items. We believe every budget should be made to show these facts.

"The budget should itemize and segregate the different kinds of expense. It is in this way only that the public officials and the citizen

¹³ This was done in December, 1914, when the board made certain increases in salaries and created certain positions which were not explained at the time the budget was adopted but provision for which was made possible due to the "flexibility" of other items in the budget. Funds may in this way be secured by transfers from one item to another of any sum necessary to meet the newly created expense. The board of freeholders may transfer funds from one account to another. In 1912-1913 the total appropriation amounted to \$2,865,885.71 and the total amount of transferred funds amounted to \$310,960.19 or about one-ninth of the amount of the budget itself. It may be seen that the freeholders made liberal use of their power under the law to transfer funds from one appropriation to another.

can understand why some particular additional amount is appropriated. Public opinion can and should act as an effective check, but it can do this only where the form of the budget is intelligible. When an appropriation is given as a lump sum in the budget the public is left in the dark as to the significance of the amount allotted.

"There is a further matter which is of special importance in scientific budget making. The appropriation resolution should show what incidental revenue may be expected from all possible sources. Public officials ought to realize the necessity of keeping their expenses within their appropriations. They should also realize the necessity of diligently collecting all revenue due their office from every possible source.

"A deplorable condition often exists in departments exceeding their allowances. A fixed appropriation ought to mean something definite in the eyes of the public official. He should endeavor to keep within the mark in operating his office even as a private clerk should keep within his wage income."¹⁴

The county budget must be adopted by the board of freeholders not later than the first Tuesday in August.¹⁵ To illustrate the usual steps followed in the procedure, it will suffice to refer to the budget for the fiscal year beginning December 1, 1914. To begin, it will be noted that the annual tax budget of the county must be finally adopted almost four months before the opening of the fiscal year. This requirement tends to increase the element of uncertainty in estimating so far in advance the amount of necessary expenditure. The move for the last budget was initiated when, at the regular monthly meeting of the board of freeholders on June 11, 1914, a resolution was adopted requesting that the heads of all departments and branches of the county government submit "at once" detailed estimates of the amount of money "which will be required for maintenance, etc., of their several institutions, departments, boards and commissions" for the ensuing year.¹⁶ Estimates were "to show in detail, as far as possible, the several purposes for which said moneys will be required."

¹⁴ Hudson Observer, July 14, 1914. Mr. James Cameron, on page 133 of his report on Hudson County, recommends an excellent form for the county budget. This recommendation, like many others of that expensive but thorough investigation, has not been followed out as yet.

¹⁵ Compiled Statutes New Jersey, p. 5119.

¹⁶ Minutes 1914, p. 172.

Some of the estimates submitted in response to the resolution were itemized in detail and presented in good form. However, the board of freeholders did not recommend any special form to be followed in submitting estimates, and there was consequently a wide variety in the individual estimates received.¹⁷ All estimates became the property temporarily of the committee on finance. This committee, however, did not hold any public meetings at which citizens might appear to express their views relative to the proposed items of expenditure. In fact the proceedings of the committee were not made public until July 16, one month later, at which time a report of the finance committee was given out for publication. This was only partial as it omitted several large items of expense which were in the budget as adopted one week later, July 23. At this time the budget was referred to the supervisor, and was approved by him as submitted. The budget was practically adopted, therefore, in its final form at the meeting of the board of freeholders on July 23; and it was thus completed just six weeks after the notices to prepare estimates were sent out. While the supervisor might have vetoed it and temporarily caused a deadlock, he permitted it to stand as it had been prepared by the board of freeholders without insisting on any changes.

¹⁷ Below is an illustration of one large institution which was permitted to submit an unitemized budget as follows:

INSANE ASYLUM.

Item 1.	Provisions	\$ 60,000.00
Item 2.	Clothing	9,000.00
Item 3.	Coal	5,000.00
Item 4.	Salaries	61,000.00
Item 5.	Lighting	1,800.00
Item 6.	Water	4,000.00
Item 7.	Ice	1,200.00
Item 8.	Office Supplies	250.00
Item 9.	Drugs	300.00
Item 10.	Repairs, Supplies and Materials	15,000.00
Item 11.	Miscellaneous Articles	8,000.00

\$169,050.00

Of this amount about \$75,000.00 will be received from the State.

As a result of this method of adopting the county budget the Citizens Bulletin in September, 1914, said:

"There are several evidences of haste and carelessness in the preparation of the recent county budget. These are doubtless due to the fact that the work of preparing the budget is usually left until a few weeks before its final passage. In the appearance of a few such inaccuracies there naturally arises a distrust on the part of the citizen in the reliability of other items throughout the budget. For example, the appropriation for the salaries of the surrogate and employees is \$32,000 according to the budget, but as a matter of fact the salary list of the county surrogate is at the present time \$41,966. It is evident from this that the four county offices of register, surrogate, clerk, and sheriff should not be recorded as self-sustaining even when they are lumped together. The salaries of the four offices taken together amount to more than the revenue from all four, although the county budget makes it appear that the expenses and revenue are equal.

"Another example of carelessness is to be found in the items of the boulevard appropriation. The item of salaries, \$68,500, heads the list, but the fact is not shown in any item that wages of laborers would swell the amount of the salary and wages account to \$110,000. The item of salaries in this case is meant to apply to employees alone.

"The same rule is not followed, however, in the Park Commission appropriation, which appears next in the budget. Here wages and salaries have been combined under the one heading, salaries, and an appropriation of \$81,750 is made to meet this expense. Various other instances of inaccuracy might be cited. There is a decided need for standardizing the items of salaries, wages, and the other designated expenditures throughout the entire list of appropriations.

"The work of preparing the county budget should begin six or seven months in advance of the time of final passage. This would give enough time for submitting to the Freeholders a proper auditors' estimate of the necessary expenses in all departments of the county government without an exception. There should be some official or body of officials whose duties should be the examination of all estimates requiring them to be detailed, itemized, and to present complete explanatory remarks concerning every department in the county. With this information the Freeholders would be in a position to act more intelligently in making appropriations.

"The auditors' estimate should thus constitute a proper basis for the report submitted by the Committee of Finance to the Board of Freeholders. This committee, aided by the estimates of the auditors, should proceed to make a comprehensive study of the financial system of the county at the time of making appropriations; and, in their report, should present the condition of the bonded debt of the county, the estimated resources for the fiscal year, the valuation of taxable

property, the estimated ordinary revenue, the revenue from the fee offices, miscellaneous revenue of all kinds, the quick assets available, the accounts receivable and the estimated extraordinary revenue. With this information set forth in detail in their report, it would be possible to recommend the appropriations for the next fiscal year in properly itemized and segregated form with some definite idea of the relation between revenue and expenditures. Efficiency on the part of the county officials is necessary in order to secure an economical administration. Efficiency should come first; economy would soon follow."

THE COUNTY COLLECTOR

Any discussion of the financial administration of the county would be inadequate without some consideration of the office of county collector. This officer is appointed by the board of freeholders for a term of three years. He receives a salary of \$5,000 a year. The county collector is the receiver of the county's taxes, and is custodian of all funds belonging to the county. All disbursements are made by warrants signed by the collector bearing also the signature of the director and clerk of the board of freeholders.

SINKING FUND COMMISSION

The county collector is ex-officio a member of the sinking fund commission.¹⁸ This commission is composed of the director of the board of freeholders, the chairman of the finance committee, and the county collector. It is required to take charge and securely invest the county sinking funds and the interest accruing thereon. The sinking fund commission employs a secretary and holds regular meetings. Minutes are kept of all the meetings and the records of transactions by the commission are open to inspection.

All bonds of the county are issued by the board of freeholders. The freeholders advertise for bids on all bond issues and the bonds are sold to the lowest responsible bidder. It will be observed that the freeholders may control the sinking fund commission through the power to appoint the county collector and through the director

¹⁸ LAWS 1896, p. 390.

of the board, and the chairman of the financial committee, both of whom are members of this commission. Mr. Cameron recommends that the board of sinking fund commissioners shall consist of three members who shall be appointed by the justice of the supreme court for special fitness, one of whom shall be appointed for a period of one year, another for a period of two, and another for a period of three years. "It is submitted in support of this recommendation," says Mr. Cameron, "that the body having control over the general funds of your county, and further authorized under the statutes to create special bond funds for specific purposes, should have no control over the sinking funds created to amortize the public debt."¹⁹

The commission maintains ten sinking funds for the amortization of the county bonded debt. In the past the tendency has been for the board of freeholders to disturb the sinking funds in various ways, thus making it impossible to provide for an orderly procedure in redeeming the county bonded debt. Since 1913, however, this part of the county administration has been improved, the board of freeholders has employed an outside accountant to audit the county collector's books annually.²⁰ This annual audit scrutinizes all transactions respecting the investments and cash of the sinking fund commission, all of which are in the custody of the county collector. The proceedings of the commission and the condition of the several sinking funds are now set forth in a more orderly manner in the report of the auditor.²¹

The most important publication in regard to the financial administration of the county is the annual report of the county collector. In this the county finances are set forth in detail. This report includes the results of the audit of the collector's books by the finance committee of the board of freeholders. The collector's report presents in the main a condensed balance sheet of the

¹⁹ Cameron's Report, p. 53.

²⁰ Ibid, p. 48, for a description of irregularities in the sinking fund.

²¹ See report of the collector 1914-1915, p. 61-66.

county, a summary of the receipts and disbursements, a statement of the appropriation funds, for the preceding years, a statement of the bond funds, and brief statements of the receipts and disbursements of the several boards and commissions.

NO AUDITOR

It is to be noticed in conclusion that one missing feature of the financial administration of the county in New Jersey is the absence of the county auditor. As we have seen, the auditing is in charge of the board of freeholders. All claims are subject to examination and audit by the separate committees. Claims are approved first by the committee and are passed by the board at the regular meetings. Thus the system amounts to an audit of claims by all committees of the board of freeholders instead of by one official. It would seem that the best results could be obtained if the functions of auditing were placed in the charge of a special county auditor. Such an auditor would be more than a clerk to the board of freeholders; he should be given a free hand in auditing all claims against the county. He should be required to learn the market price of all supplies and see to it that the county actually pays no more than that amount.²² And as we have seen, furthermore, the county auditor should be of assistance in preparing the annual tax budget of the county. The county auditor should be given extensive powers and, to be protected from intimidation by the board of freeholders, should be made an elective official.

²² A county purchasing agent would be of great assistance to the auditor in this way, and should be appointed by the auditor.

CHAPTER X

CONCLUSION

Although a great deal of what has been said in the foregoing chapters, is applicable to county government generally in New Jersey, the greater part of our task has been to explain how the present organization of Hudson County government is a result of the attempts of the legislature to provide for the local needs of this particular county. It would seem that since there are only two counties of the first class in New Jersey, the governments of the two would be alike in every respect. However, it is to be noted that many points of difference arise, especially when it is attempted to make any minute comparison of the two counties. Thus the object of our study has been to make it appear that the government of Hudson County is of itself an important political unit of the state; it has developed a form of government not exactly similar to that of any other county in the state, and is deserving of a special study in the general field of county government.¹ In treating forms and organizations of government it is necessary not to lose sight of functions; in the present study much attention has been given to what the county government does. The administrative tasks of each department have been described in detail.

It has been noted in our study that Hudson County presents one of the most typical instances of an urban county government functioning co-extensively with numerous local municipal governments all of which bear little relation to one another. Since the interests of these municipalities are mutual, they can best be advanced by

¹ General interest in county government of late has been greatly assisted by the writings of Mr. Richard S. Childs and Mr. H. S. Gilbertson of the National and New York State Short Ballot Association, New York City.

consolidation. But granting the consolidation of the thirteen municipalities, there yet remains the fully developed and expensive county governmental machinery which must be taken into account in any consolidation. Here is where the question assumes the greatest importance. It would seem that since the county government extends its jurisdiction over all municipalities and since it is at present performing many functions which, broadly speaking, are municipal instead of county functions, that municipal and city consolidation must eventually center in the county government. While the immediate step would seem to be a federated city and county government, the eventual readjustment must take the form of a combined one-city and one-county government. Since the county government historically, and generally is built around the county judiciary, it is tinted with such conservatism in the popular estimation that any change must necessarily be deliberate. To the lay mind, it would appear easier for the county government to take over the municipal governments than it would be for the city to take over the county machinery with all its inter-relating state officers and boards.

From the point of view of the county as a whole, the manifest decentralization of municipal functions such as police and health administration, sewer systems, and drainage, administration of poor relief, conducting elections, etc., constitutes the most impressive feature in our survey of the county government. The argument for consolidation, as has been stated, finds the firmest ground in the opportunities presented for efficiency and economy. Where there are thirteen municipalities to finance separate sewer systems, there should be one system maintained by one central authority. Where there are frequent elections for numerous city and county officials, there should be a saving in expenditures by reducing the number of political units of local government in the county. Where there are fourteen boards of health and vital statistics at present, one central and efficiently organized board is the feasible solution. In the same trend,

other illustrations might also be mentioned in connection with many of the local functions of government which have been treated in the foregoing chapters.

The questions involved resolve, for the most part, into a test of comparative efficiency; if the county government has made itself indispensable by way of service to the municipalities and citizens, it cannot very readily be displaced. The present study has therefore been made chiefly with the view of pointing out opportunities for improvements in the county administration which may have been presented to the writer by contact with public officials and interested citizens.

The difficulty with the present method of electing members of the county board of freeholders is that there is no provision for minority representation. The county board of freeholders bears quite a contrast to the city commission, say, which directs the affairs of Jersey City. In the latter body, the commissioners are elected by a system of preferential voting by which each voter may express a first, second, third and fourth choice. The result is that though a majority of the commission represent the major political party, the minority party has strong representation on the commission in the person of the mayor.² Minority representation, generally speaking, means more publicity in public bodies; more publicity means better government.

In Hudson County the more important boards and commissions submit annual reports with full explanations as to their methods of work and the advances made in their administrative duties during the previous year. Those branches of the county government which are directly controlled by the freeholders, on the other hand, have not systematically been required to make annual reports with an actual intention of giving information.³

² The candidate receiving the highest number of votes at the election becomes the mayor.

³ The report of the county collector is an excellent exposition of the financial condition of the county and must be mentioned as an exception to the above statement as applied to departments under the control of the freeholders.

The minutes of the board of freeholders, furthermore, present only scattered information in connection with the administration of these departments. It would seem that the larger institutions, the more important county officers whose appointment rests with the board, and those officers for whom the board is obliged to make appropriations, should be required to submit detailed annual reports, to the end that citizens may know something of the county administration and in this way be brought into closer relation through personal knowledge and interest with the government in all its branches. It is safe to affirm that, under the closer attention of citizens, the effect upon the county administration will be wholesome; it is largely because the workings of the county government have been obscure in the past that citizens have as a result been uninterested.

The best examples of state centralization as affecting the counties in New Jersey are the judiciary, the educational administration, the civil service, and the state board of children's guardians. In regard to the first we have seen that the county judicial system comprises judges and prosecuting attorneys who are appointed by the governor with the advice and consent of the senate. The judiciary accordingly presents an independent body before which the county administrative authorities may be brought to answer for violations of their public trusts. The sheriff and the jury system are the only stumbling blocks in the way of complete state centralization of the judicial machinery; but even here, as we have seen, the state has recently extended its control by means of the so-called Chancellor-Sheriff jury reform act.⁴

Of the centralized control over the state educational system little need be said in this work. Owing to the urban character of Hudson County, the authority of the state commissioner of education and of the state board of education should be discussed to better advantage in connection with the municipal governments—each having

⁴Laws N. J. 1913, Ch. 20.

its separate school system—than in relation to the county government.

In the state board of children's guardians we find an excellent illustration of a well worked out plan of state administration as against the former inefficient administration by the county institutions. In the creation of the state board there was introduced a highly specialized and efficient administration by the state which the counties alone were not competent to supply. By adopting the larger political unit of administration, opportunities for placing dependent children under suitable home influences were extended in a way such as county administration of this work was unable to afford.

When we come to the administration of the state civil service law as applied to counties and municipalities it is to be noted that the chief problem is how to keep the civil service adequately removed from local politics and at the same time provide for the greater efficiency of the county employee by standardization of salaries, proper gradation of services, and the installation of efficiency records. "The specific problem in connection with the civil service of counties," remarks Mr. Robert W. Belcher, "is solely the question of whether the law shall be administered by a local board or by a commission having state wide jurisdiction. Experience has shown that even in the case of municipal service, state control as in Massachusetts and in New Jersey, or state supervision as in New York, is by far the preferable system."⁵ It has been suggested in our present study that there is need for a bureau of efficiency for Hudson County alone.⁶ Such a bureau should be supervised by the state civil service commission in order to be free from the control of local political influences. But it should be local in order to become effective in enforcing rules for the county service alone; this the state commission is now prevented from doing due to the magnitude of its responsibility

⁵ Mr. Belcher is Secretary of the National Civil Service Reform League. See his article in *Annals American Academy Political Science*, May, 1913.

⁶ *Supra*, Ch. 7.

in the state at large. Furthermore, administrative problems of civil service may not be the same in Hudson County as they are in other parts of the state; and the size of the county calls for a separate commission which will supplement the work now performed by the state civil service commission.

In further relation to those examples where state centralization has proved satisfactory, it may be noted that the absence of such control by the state is at present reflected in the incompetence of the county to care properly for the insane. Here the lack of state control has developed difficulties. With the state as a large unit of administration the possibility is presented of specializing in the care of curable and incurable forms of insanity, to the end that the county may be looked to as responsible for the institutional care of only the incurable chronic cases of insanity.⁷ Here again the interests of the county are subordinate to the interests of the state at large. While the two counties of the first class are able financially to maintain separate institutions, the need for modernized facilities for the state at large is more imperative than that of Hudson and Essex counties alone. The care of the insane is, primarily, a state function.

As a further step in our conclusion it has been noted that county centralization of municipal functions has, in certain instances, been beneficial, if not necessary. To illustrate: The county park commission has planned and is developing a system of parks with a view of benefiting the entire county rather than any one municipality; this the individual municipalities are unable to do. In order to develop public parks in places which are accessible to the county population at large, it is necessary to invest money on a large scale which the smaller municipal units could in no way afford to bear. The county park system is, perhaps, the best argument based upon practical experience in Hudson County, for county centralization of municipal functions. Other illustrations, however, occur

⁷ *Supra*, Ch. 4.

in the Tuberculosis Hospital and Sanatorium, also in the County Board of Taxation.⁸

While we have given much attention to the administrative side of the county government, it has not been attempted to discuss the influences that are brought to bear on the county administration in what has become currently known in this country as "politics." From the point of view of party politics, Hudson County presents an excellent opportunity for analysis in respect to the interrelation of "politics" and government. The county has not been without its invisible government; its "boss" system has flourished. Officials have been nominated dictatorially by the party leaders, and even under the new direct primary, a candidate may represent some individual party faction and command a sufficient following among the office holding class to make his nomination acceptable to the party leader. "Tickets," as we understand the term, are still prearranged and agreed upon; and the position of party leader in the county is the most important prize which the county's extra-legal government affords. If the party leader of the county draws his support from his ability to hand out "jobs," he becomes a "boss" and is decried as a public menace. But if he commands support among the respectable and is interested in improving the county administration in every way possible, he is welcomed as the supreme director in the county whose services are necessary in supplying unity to that disjointed and complex county government which we have attempted to describe in the preceding chapters.

⁸ Supra, Chs. 4 and 6.

VITA

The writer was born January 27, 1886, at Brookville, Indiana. He received his early education in the public schools of Franklin, Indiana. He was a member of the graduating class of Franklin College, Indiana, of 1907.

For two years following his graduation he was principal of the high school at Shelbyville, Indiana. For the two years following this he was in residence at Columbia University as a student in Public Law and Politics. In 1912-13 he was instructor in politics in Columbia University. In 1913-14 he was instructor in government at New York University. In the summer of 1914 he took up civic work in New Jersey as secretary of the Citizens Federation of Hudson County, and as a result of his work in this position, the present survey of the county government was completed.

EARL WILLIS CRECRAFT.

Jersey City, New Jersey.

April 8, 1915.

THE OFFICE OF
CLERK OF THE CIRCUIT COURT
AND THE OFFICE OF
CLERK OF THE SUPERIOR COURT
OF
COOK COUNTY, ILLINOIS

A SUPPLEMENTAL INQUIRY INTO THEIR ORGANIZATION
AND METHODS OF ADMINISTRATION

REPORT PREPARED FOR THE
JUDGES OF THE CIRCUIT COURT
BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY

NOVEMBER, 1912

PRIOR PUBLICATIONS.

- 1 Method of Preparing and Administering the Budget of Cook County, Illinois. January, 1911.
- 2 Proposed Purchase of Voting Machines by the Board of Election Commissioners of the City of Chicago. May, 1911. (Out of Print.)
- 3 Street Pavement Laid in the City of Chicago: An Inquiry Into Paving Materials, Methods and Results. June, 1911. (Out of Print.)
- 4 Electrolysis of Water Pipes in the City of Chicago. July, 1911. (Out of Print.)
- 5 Administration of the Office of Recorder of Cook County, Illinois. September, 1911.
- 6 A Plea for Publicity in the Office of County Treasurer. October, 1911.
- 7 Repairing Asphalt Pavement: Work Done for the City of Chicago Under Contract of 1911. October, 1911. (Out of Print.)
- 8 The Municipal Court Acts: Two Related Propositions Upon Which the Voters of Chicago Will Be Asked to Pass Judgment at the Election of November 7—Vote No. October 31, 1911. (Out of Print.)
- 9 The Water Works System of the City of Chicago. By Dabney H. Maury. December, 1911.
- 10 Bureau of Streets; Civil Service Commission; and Special Assessment Accounting System of the City of Chicago. December, 1911.
- 11 Administration of the Office of Coroner of Cook County, Illinois. December, 1911.
- 12 Administration of the Office of Sheriff of Cook County, Illinois. December, 1911.
- 13 Administration of the Office of Clerk of the Circuit Court and of the Office of Clerk of the Superior Court of Cook County, Illinois. December, 1911.
- 14 The Judges and the County Fee Offices. December 19, 1911.
- 15 General Summary and Conclusions of Report on the Park Governments of Chicago. December, 1911.
- 16 The Park Governments of Chicago: An Inquiry into Their Organization and Methods of Administration. December, 1911.

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315 PLYMOUTH COURT

CHICAGO BUREAU
OF
PUBLIC EFFICIENCY

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TABLE OF CONTENTS.

	Page.
LETTER OF TRANSMITTAL.....	4
SUMMARY AND CONCLUSIONS.....	5
I. Reforms Needed	5
II. Saving Which Can and Should Be Effected.....	5
III. Number of Positions and Salary Rates Recommended for 1913	6
IV. Consolidation of Record-Writing and Folio Divisions Urged	7
V. Lack of Good Faith Apparent in the Appointment of Addi- tional Clerks in the Superior Court Office.....	7
TEXT OF REPORT.....	9
Circuit Court	9
The Former Report of the Bureau.....	9
The Supplemental Investigation.....	10
Decrease Recommended in General Staff.....	10
Consolidation of Record-Writing and Folio Divisions Urged..	11
Minute Clerks	13
Clerkships Recommended for 1913.....	13
Saving Which Can Be Effected.....	14
Superior Court	15
The Supplemental Investigation.....	15
The Six Additional Judges.....	16
How the Eight New Clerks Were Assigned.....	17
Changes in the General Staff.....	18
Naturalization Clerks	20
Folio Clerks	20
Recommendations Made in Former Report.....	21
Minute Clerks	22
Clerkships Recommended for 1913.....	22
Saving Which Can Be Effected.....	24
Charts of Proposed Organization and Salary Rates Recommended.	25
Circuit Court	26
Superior Court	27
Tables Showing Number of Clerkships Recommended by the Bu- reau; also Descriptive Titles and Salary Rates Proposed—	
Circuit Court	14
Superior Court	23

LETTER OF TRANSMITTAL.

*To the Honorable Judges
of the Circuit Court of Cook County.*

GENTLEMEN:

The Chicago Bureau of Public Efficiency submits herewith a supplemental report upon the office of Clerk of the Circuit Court and upon the office of Clerk of the Superior Court of Cook County.

In preparing this report, the Bureau has not confined itself to the single aspect of the matter with which the Judges are required by the Constitution of the State to deal—that of fixing the number of employes. It has aimed to carry on a comprehensive study of the offices and to make a presentation of facts and conclusions of interest to the general public and to the appropriating body of the county, the Board of County Commissioners, as well as to the Judges.

Respectfully submitted,

HARRIS S. KEELER,
Director.

Chicago, November, 1912.

SUMMARY AND CONCLUSIONS.

I. REFORMS NEEDED.

The economical and efficient administration of the offices of the Clerks of the Circuit and Superior Courts demands two important reforms. One is the abolition of several clerkships on the general executive staff of each; the other, the consolidation and reorganization of the record-writing and folio divisions in each office, including the substitution of modern methods for the antiquated ones now in use.

II. SAVING WHICH CAN AND SHOULD BE EFFECTED.

The Chicago Bureau of Public Efficiency believes that, if the recommendations contained in this and its former report are adopted and the changes therein suggested, with respect to organization and methods, are put into effect, an annual saving in salaries amounting in the aggregate to \$54,320 can be made. It is needless to add that this saving should be made. The useless expenditure of public funds shown in connection with the administration of each of these offices should be stopped. The manner in which this saving can be effected is shown in the following table:

CIRCUIT COURT.

Saving to be effected by abolishing six clerkships	\$ 9,800
Saving to be effected by reorganization of force	11,500
	<hr/>
Total saving, Circuit Court.....	\$21,300

SUPERIOR COURT.

Saving to be effected by abolishing eight clerkships added in 1912.....	\$ 9,400
Saving to be effected by abolishing five other clerkships	7,920
Saving to be effected by reorganization of force	15,700
	<hr/>
Total saving, Superior Court.....	33,020
	<hr/>
Combined saving which can and should be effected in both offices.....	\$54,320

If the clerical force requested by the two Clerks is authorized, the combined pay roll of these offices for the year 1913 will aggregate \$164,140. This figure is based on the appropriations made for the year 1912. The above saving, therefore, would amount to 33 per cent of the total expenditure contemplated by these officials.

Although these offices perform approximately the same amount of work, the Clerk of the Superior Court employs 59 assistants at an annual salary cost of \$85,740, while the Clerk of the Circuit Court has only 52 assistants whose salaries aggregate \$78,400. Considered separately, therefore, the saving indicated amounts to 27 per cent in the Circuit Court office and 39 per cent in the Superior Court office.

III. NUMBER OF POSITIONS AND SALARY RATES RECOMMENDED FOR 1913.

For the year 1913 the Clerk of the Circuit Court has requested 63 assistants—52 for his main office and 11 for the Juvenile Court service. This is the number now employed. The Bureau recommends that the Judges authorize only 50 clerks, 39 of whom shall be designated for the service of the main office and the remaining 11 of whom shall be provided for the Juvenile Court service.

The Clerk of the Superior Court has asked for 59 clerks for 1913. This is the number now employed by him. The Bureau recommends that the Judges limit the number authorized to 36.

It is believed that the number of clerks recommended can easily perform all of the work which will be required of them. During the year 1912 the volume of business handled by each of these offices has varied but little as compared with that of the previous year. There is nothing to indicate that there will be any material increase in the work during the ensuing year.

The tables on pages 14 and 23 set forth specifically the positions and salary rates which, in the opinion of the Bureau,

should be authorized for the respective offices. Charts of proposed organization are shown on pages 26 and 27.

It is respectfully suggested that the Judges of the Circuit Court in entering their formal order adopt and use the descriptive titles appearing in the tables above mentioned.

IV. CONSOLIDATION OF RECORD-WRITING AND FOLIO DIVISIONS URGED.

In each office three separate divisions are maintained for performing the record-writing and folio service. The work of each of these divisions is closely related to the others. They should be consolidated and their forces reorganized. Modern methods, including the use of typewriters, should be introduced. The Bureau believes that any changes in the present arrangements for doing this work which fall short of its complete reorganization not only will be difficult to effect, but that they will prove inadequate and unsatisfactory. It, therefore, again earnestly recommends that the antiquated methods now in use be discarded altogether and that the work be organized and conducted in an efficient and business-like manner.

Attention is directed, however, to the fact that even under present methods a considerable saving could be made in the cost of performing the record-writing and folio service, if the clerks employed were required to do a reasonable day's work and if salaries were fixed at rates commensurate with the character of the work performed.

V. LACK OF GOOD FAITH APPARENT IN THE APPOINTMENT OF ADDITIONAL CLERKS IN THE SUPERIOR COURT OFFICE.

In November, 1911, the Clerk of the Superior Court requested that he be given 15 additional clerks. In the petition which he filed at that time he stated that the election of six additional judges would make this extra clerical force necessary. No pretense was then made that more clerks were needed for any work except that which might arise as a result of an increase in the number of judges trying cases in this court.

At the time the Judges of the Circuit Court were considering the request of the Clerk, conditions seemed to indicate that as a result of the election the number of trial judges of the Superior Court would be increased by three, and on this ground the Clerk was authorized to employ 10 additional men. The other three newly elected judges either took the places of country judges, who had been sitting in the Superior Court, or were assigned to the Criminal Court.

The Appellate Court and the Criminal Court are presided over by judges assigned in part from the Superior Court. As a result, some of the Superior Court judges are always engaged in these other two courts. Additional assignments which were made to these courts prior to April 1, 1912, operated to reduce the number of judges then trying cases in the Superior Court to 10. This was the number of judges nominally sitting in that court in November, 1911, when the Clerk made his request for more clerical help.

Eight only of the 10 new positions authorized have been filled. These eight appointments were not made until April and May, 1912—more than four months after the authority to make them had been granted. At the time of making these appointments, it was obvious that for the remainder of the year 1912 the number of judges sitting in the Superior Court would be no greater than it had been during 1911, and that there would be no occasion for additional men with which to man the courts and spread the records of court proceedings.

The employment by the Clerk of the Superior Court of eight additional clerks under such circumstances and their assignment to the performance of work, in connection with which previously he had not even pretended more help was needed, and with respect to the volume and character of which there had been no material change, was a manifest betrayal of the confidence placed in the Clerk by the Judges of the Circuit Court when they created these additional clerkships. It should not be permitted to go unrebuked.

THE OFFICE OF
CLERK OF THE CIRCUIT COURT
AND THE OFFICE OF
CLERK OF THE SUPERIOR COURT
OF
COOK COUNTY.

A SUPPLEMENTAL INQUIRY INTO THEIR ORGANIZATION
AND METHODS OF ADMINISTRATION.

CIRCUIT COURT.

During the year 1911 the Clerk of the Circuit Court had 62 assistants. Fifty-two of them were employed in the main office and 10 were engaged on Juvenile Court work. For the year 1912, 63 clerks—52 for the main office and 11 for the Juvenile Court—were requested by the Clerk and authorized by the Judges. The petition of the Clerk, filed in June, 1912, asks that a like number be allowed for the year 1913.

The Former Report of the Bureau.

In the former report on this office, which was issued in December, 1911, the Bureau dealt only with matters related to the administration of the business of the main office. The Juvenile Court staff was not considered. The same course has been followed in preparing this supplemental report.

In the former report it was shown that more clerks were employed during 1911 than were necessary to perform the work of that year, and the opinion was expressed that, if the force were reorganized and modern methods substituted for those then

in use, the number of clerks necessary to do the work properly could be reduced from 52 to 37. The annual saving in salaries, which the changes recommended would have made possible, was estimated at approximately \$25,000.

The Supplemental Investigation.

The supplemental investigation just completed shows that 52 clerks are still employed. Eleven clerks, nine of whom are minute clerks, have received minor salary advances aggregating \$1,840. The amount of work performed during the current year shows a slight decrease as compared with that performed during 1911. There are no indications that there will be any material increase in the volume of business to be handled in 1913.

The Bureau, therefore, renews, with two exceptions (see pages 12-13), the recommendations which it made in its former report. It submits that they should be adopted. The useless expenditure of public funds, which was shown and which is still going on, should be stopped.

Decrease Recommended in General Staff.

Briefly, the former report of the Bureau recommended the discontinuance altogether of the services of six members of the general executive staff, the consolidation of the record-writing and folio divisions, and a complete change in the methods employed in handling the work of these divisions. The six clerkships above referred to were the following:

1 assistant chief clerk.....	\$2,000
1 assistant execution clerk.....	2,000
1 bookkeeper	2,400
1 register clerk.....	1,200
1 vault clerk.....	1,000
1 docket clerk.....	1,200
<hr/>	<hr/>
6	\$9,800

The abolition of these clerkships was recommended because the volume of work to be performed did not warrant their re-

tention. Their duties can be readily assigned to other clerks without burdening any of the latter.

Consolidation of Record-Writing and Folio Divisions Urged.

With respect to the work of the record-writing and folio divisions, it was said in the former report of the Bureau (Report, Dec., 1911, pp. 17-19):

In each office three separate divisions are maintained for performing the record-writing and folio service. All records and copies are written out in long hand, although printed form books are provided in some cases.

The efficient administration of these branches of the service calls for the consolidation in each office of the several divisions now maintained as well as a substitution of modern methods and devices for those now in use. The work is closely related, and as the forces are now organized an interchange of clerks is occasionally necessary. If such a consolidation were effected, the work of the respective staffs could be more readily adapted to the changing requirements of the service. The entire volume of the work, moreover, could be more equitably distributed. Such a change should also bring about a reduction in the cost of doing the work.

The plan here proposed, as shown by the charts* on pages 20 and 34, would provide for a superintendent, an assistant superintendent, one transcript compiler, a general clerk and five typists in each office to perform the work of spreading records and preparing necessary copies. To the superintendent would be assigned the duty of laying out and supervising the work. He would also be required to draft such law orders as were not purely formal, which would reduce the work of spreading law orders practically to a basis of copy work. The compiling of records for appeals and the preparation of certified copies would be assigned to the assistant superintendent, who would be assisted by the transcript compiler. The latter clerk would also attend to opening the original entries in both the common law and chancery dockets and would operate the confession and such other form records as might be found expedient. The general clerk would perform such general duties as might be required of him. The writ-

*Similar charts of organization will be found on pages 26 and 27 of this report.

ing of the chancery short orders would, of course, be assigned to the chancery minute clerks.

The following yearly salary rates are recommended: Superintendent, \$2,000; assistant superintendent, \$1,500; transcript compiler, \$1,200; general clerk, \$1,000; and typists, \$1,000 each.

It is believed that under this arrangement nine clerks in each office, with salaries aggregating \$10,700, could perform the work of the present record-writing and folio divisions. For this purpose twenty clerks are now carried on the pay roll of the Superior Court office, at an aggregate annual cost of \$28,360, while eighteen clerks, with salaries aggregating \$26,100 a year, are assigned to this work in the Circuit Court office. An annual saving of \$17,660 in the Superior Court and of \$15,400 in the Circuit Court is therefore indicated. As the plan proposed would necessitate assigning an extra clerk to the naturalization work of the Circuit Court office, this latter figure should be reduced to \$14,200. The transfer of the writing of chancery short orders to the minute clerks and on account thereof an increase of salaries in some instances would reduce the Superior Court figure to \$16,860.

* * * * *

The introduction of typewriters would, of course, call for the co-operation of the county board. Five book machines and two or three standard machines in each office, requiring an initial expenditure of about \$2,000, would meet the present demands of the service.

Since the foregoing was written, several minor changes have been made in the organizations as they then existed and in salary rates paid. What was formerly said, however, with respect both to the number employed and the economies which could be effected, is still substantially true.

It is believed that the organization recommended would experience no difficulty in performing this work, when the typists who would be assigned to the law record-writing had become familiar therewith. It is recognized, however, that the spreading of records of this character involves more than typewriting and that it may be necessary to train typists to do it. It is recommended, therefore, that in addition to the force above mentioned an experienced clerk be retained in each office during the

ensuing year to supervise the writing of the law records, and that his salary be fixed at \$1,800.

Not all of the waste in connection with the record-writing and folio divisions of the service is due to the methods used. As was pointed out in the former report, if the clerks in these divisions were required to do a reasonable amount of work, and if their salaries were fixed at rates commensurate with the character of work performed, a very considerable saving could be made. The Bureau believes, however, that any changes in the present arrangements for performing this work which fall short of a consolidation and complete reorganization of these divisions not only will be difficult to effect, but that they will prove unsatisfactory. It, therefore, again earnestly recommends that the antiquated methods now in use be discarded altogether and that the work be organized and conducted in an efficient and business-like manner.

Minute Clerks.

At the time the Bureau published its former report in December, 1911, there were 11 judges trying cases in the Circuit Court. The report, therefore, recommended the employment of 11 minute clerks. An additional chancery calendar has been prepared for the current court year. This will necessitate the services of one more minute clerk than was formerly recommended.

Clerkships Recommended for 1913.

For the year 1913 the Bureau recommends that the following 39 assistants be authorized for the Clerk of the Circuit Court and that their salaries be fixed at the rates set out below. It is respectfully suggested, moreover, that in the formal order authorizing their employment the descriptive titles appearing in the table be used.

TABLE SHOWING NUMBER OF CLERKSHIPS RECOMMENDED
BY THE BUREAU; ALSO DESCRIPTIVE TITLES AND
SALARY RATES PROPOSED.

Descriptive Title.	Salary.
1 chief clerk.....	\$ 3,000
1 clerk in charge.....	1,800
1 filing and process clerk.....	1,800
1 assistant filing and process clerk.....	1,500
1 cashier	1,800
1 execution clerk.....	2,000
2 pending file clerks (\$1,200 each).....	2,400
1 vault clerk.....	1,000
1 register clerk.....	1,200
1 general clerk.....	1,000
1 stenographer	1,000
2 naturalization clerks (\$1,500 each).....	3,000
1 naturalization clerk.....	1,200
1 superintendent, record-writing and folio division.....	2,000
1 asst. superintendent, record-writing and folio division..	1,500
1 transcript compiler, record-writing and folio division..	1,200
1 general clerk, record-writing and folio division.....	1,000
1 law record-writer	1,800
5 stenographers and typists for work in record-writing and folio division (\$1,000 each).....	5,000
4 chancery minute clerks (\$1,800 each).....	7,200
8 law minute clerks (\$1,500 each).....	12,000
1 substitute minute clerk.....	1,200
1 stenographer for use of judges.....	1,500
39	\$57,100

Saving Which Can Be Effected.

The salary appropriations for the clerical force of this office for the year 1912 aggregated \$78,400. If the foregoing plan of organization is adopted, an annual saving of \$21,300 can be made. This amounts approximately to 27 per cent of the present pay roll expenditure.

SUPERIOR COURT

Fifty-one clerks were employed in the office of the Clerk of the Superior Court during the year 1911. On November 20, 1911, the Clerk filed his petition for help for the year 1912. In that petition he stated: "At the election held November last, six additional judges were elected to this Court, which will make it necessary to have an additional clerical force of 15 men." The Judges of the Circuit Court declined to grant this request in full, but authorized 10 additional clerks.

On June 1, 1912, the Clerk filed a petition setting forth the number of employes which he estimated would be required to perform the work of the office during the year 1913. In this petition he stated:

For the year 1912 I requested an additional allowance of fifteen men because of the election of six additional judges to the Superior Court. After mature investigation, I decided that ten additional men would be sufficient, and so notified Judge Baldwin; consequently the Circuit Judges gave me ten additional men for 1912 instead of fifteen as per my original request; and in making requisition for the additional men from the Civil Service Commission I reduced the number to eight, and while the office will need this number of men for the year 1913, I am inclined to believe this number will be sufficient.

At the time of this supplemental investigation, 59 clerks were being carried on the pay roll.

The Supplemental Investigation.

The Bureau has supplemented the inquiry which it made in 1911 into the affairs of this office by a second careful investigation. It finds that, except for the addition of the eight clerks above mentioned, there have been no substantial changes in the organization of the force during 1912, and that the methods employed in doing the work are the same as at the time of the former inquiry. As in the Circuit Court office, salary raises have been granted in a few instances. The volume of business handled during the past year has not differed substantially from that handled during 1911.

As a result of this supplemental investigation, the Bureau is of the opinion:

1. That the services of the eight clerks who were added to the pay roll in April and May, 1912, have not been needed at any time since the appointments were made. On November 30, 1912, their salaries will have aggregated approximately \$5,600.

2. That the changes in methods and organization which were recommended by the Bureau in its report of December, 1911, should be adopted and put into effect. These changes, if made, would not only effect large economies, but would result in more efficient service.

3. That 36 clerks can easily perform the work to be done during the year 1913 and that this number only should be authorized by the Judges instead of the 59 now employed and again requested. There is nothing to indicate that the amount of work which this office will be called upon to perform during 1913 will be greater than that which has been performed during either of the past two years.

The Six Additional Judges.

It will be noted that the additional help for 1912 was asked on the pretext that the election of six additional judges would require a larger clerical force.

It was pointed out in the report of the Bureau last year that not all of the judges who are elected as Superior Court judges actually sit at the same time to try cases in that court. Several of them are always engaged in the Appellate and Criminal Courts. Two of the new judges mentioned above were transferred to the Criminal Court. Prior to December 4, when the newly elected judges came on the bench, there had been two country judges trying cases in the Superior Court. The latter did not sit after December 4, their places being taken by two of the other new judges.

The reorganization of the Superior Court judiciary which took place about December 1 and the assignments of judges which were made to the Criminal and Appellate Courts at that time, or shortly afterwards, brought about the following condi-

tions. For 18 days subsequent to December 4, 1911, there were 13 judges sitting. The number was then reduced to 11, and this status was maintained until April 1, when the number was further reduced to 10. During this time the work of the office was being carried on by 51 clerks. Six of the eight additional clerks were not appointed until April 20, 1912, and the other two were appointed at a later date. After April 20 and prior to July 13, when the courts closed for the summer, there were only eight days on which the number of judges sitting exceeded 10—and 10 was the usual number of judges assigned to the trial calendars of this court during practically the entire year prior to December 1, 1911.

It is evident, therefore, that the "election of six additional judges" has not occasioned any necessity for increasing the number of employees in the Clerk's office.

How the Eight New Clerks Were Assigned.

When the ground upon which the additional clerks were asked is considered, the manner in which their services were utilized after their appointment is worthy of note. Classified in a very general way, the work of a court clerk and his assistants involves: First, the receipt and filing of papers and the issuance of process, and the keeping of records incidental to this work, such as dockets, indexes, registers, etc.; and, second, the recording of the proceedings had before the judges.

An increase in the number of judges trying cases would not affect the volume of work of the first class, as, for instance, that incident to the commencement of new suits. On the other hand, an increase in the number of judges would immediately require more minute clerks with which to man the courts, and the effect of the additional work which these judges would do would at once be noticed in the record-writing division through an increase in the number of orders and decrees to be spread upon the records.

It is significant, therefore, that none of the eight addi-

tional clerks have been performing the work of minute clerks or record-writers. The reason is apparent—there was no additional work of that character to be performed. Under these circumstances, it seems pertinent to inquire:

1. *If these men were asked for in good faith, why were they employed at all, when it became obvious that the number of judges neither was nor would be any greater than before?*

2. *Why were they all assigned to work for which the Clerk had not even pretended additional help was needed?*

The following table shows the number of clerks employed during the year 1911, also the number employed subsequent to May 10, 1912, when the eight additional clerks had all been appointed. The group classification is in accordance with duties performed:

Classification by Groups.	Number Employed During 1911.	Number Employed During 1912.	Increase.
General staff*	18	24	6
Naturalization clerks	2	4	2
Law record-writers	4	4	..
Chancery record-writers	12	10	†2
Folio clerks	5	7	2
Minute clerks	10	10	..
Total	51	59	8

*Chief clerk and judges' stenographer are included.

†Decrease.

Changes in the General Staff.

The following six clerks were added to the general staff:

- 1 additional register clerk.
- 1 additional vault clerk.
- 3 additional general clerks.
- 1 night clerk.

Prior to the appointment of the additional register clerk, one clerk was operating the general register, and documents

were being registered within approximately two hours of the time of filing. The service in this respect was excellent. During the past year there has been a nominal decrease in the amount of work to be done and there has been no occasion whatever for the services of an additional clerk. Observations on the part of the investigators of the Bureau tend to show that, since the work has been divided between two clerks, each has found it necessary to devote a considerable portion of his time to "soldiering."

In 1911, two clerks were assigned to the main vault. It was the opinion of the Bureau at the time of its former investigation that one man could handle this work if occasional assistance were given him by the general clerks. It now finds not only that the reduction recommended has not been made, but that an additional man has been assigned to this work. At the time of preparing this report (October) one of these clerks was on furlough and it had not been found necessary to substitute any one in his place. Two of the three clerks now employed should be dispensed with.

Three additional general clerks have also been added, making the total number five. Neither of these clerks is assigned to any specific work. With the office manned so as to provide a regular clerk or clerks for every definite kind of work which the force is called upon to perform, the occasion for five clerks with nothing in particular to do is not apparent. Last year there were two general clerks; it was the opinion of the Bureau that they furnished all of the help necessary for relief or emergency purposes. The three new appointees should be discharged.

The employment of a "night clerk" is a departure. No other Clerk's office is provided with such an employe. His duty, as set forth in the petition of June 1, 1912, "is to wait on the public and to protect the office between 3 and 11 o'clock until the office is finally closed." The office is "finally closed" about 5 o'clock so far as the "public" is concerned. If this clerk is

needed to wait on the "public" from 3 until 5 o'clock, why not before 3 o'clock? With the office closed to the public, conditions between 5 and 11 o'clock (except for the presence of the janitor force) are the same as they are between 11 o'clock and the time when the office opens in the morning. No other county office finds it necessary to protect itself against the janitor force. If protection from any other danger is needed, why not after 11 o'clock as well as before? The Bureau believes that this position is entirely unnecessary and that it should be abolished forthwith.

Naturalization Clerks.

In December, 1911, two clerks were assigned to the naturalization work of the office. These clerks had performed all of the current work up to that time. For a considerable period prior thereto, however, two other clerks had been rewriting the naturalization indexes. In his report filed November 20, 1911, the Clerk stated that this work had been completed. Notwithstanding the fact that the back work was then completed and that since that time the volume of current work has remained practically the same as before, the force of clerks assigned to it has been doubled. Four clerks are now doing the work formerly handled by two. Again it is pertinent to ask what is the connection between the work of these clerks and the election of six additional judges.

Folio Clerks.

During November, 1911, there were four clerks regularly employed in the folio division. A fifth clerk assisted in the work except at such times as he was required to serve as a substitute minute clerk. It was claimed also that during "rush" periods the chancery record-writers assisted on the folio work.

All of the work of this division is paid for on the "piece" basis. The fees earned, therefore, indicate the volume of work done. In its former report, the Bureau called attention to the

fact that five clerks usually worked in this division. Since that time two more clerks, with salaries aggregating \$200 a month, have been added to the force formerly employed. During the nine months ended July 31, 1912, the earnings of this division decreased \$373 as compared with the corresponding period of the previous year. The salaries of the clerks employed on this work for the same nine months of the current year were approximately \$750 more than for the corresponding period of the previous year.

The plan recommended by the Bureau for the reorganization of the record-writing and folio divisions of the service contemplates the consolidation of the work of this group of clerks with that of the record-writers. Whether the plan suggested is adopted or not, the two clerks who were added to this group in April and May, 1912, should be dropped from the force.

Recommendations Made in Former Report.

In its report issued in December, 1911, the Bureau recommended the discontinuance of the following positions. The salary rates shown are those authorized for the current year:

1 bookkeeper	\$2,400
2 process clerks	2,520
1 judgment clerk	1,800
1 vault clerk	1,200
Total	<hr/> \$7,920

As in the case of the Circuit Court office, the reason assigned for abolishing these clerkships was that the volume of work to be done did not justify their retention.

It was shown in that report that the cost of spreading the records of court proceedings was excessive in both the law and chancery divisions. The consolidation of these divisions of the service with the work of the folio division and the substitution of typewriters for the longhand copying method were recommended for the purpose of remedying the conditions shown.

What was said on this subject at that time appears on page 11 of this report. It applies now with as much force as it did then. The annual saving which the Bureau believed it possible to effect by making these changes was estimated at \$16,860.

The mere shifting of the work of writing the chancery short orders from the record-writing clerks to the chancery minute clerks would alone effect an annual saving of \$5,700 and at the same time permit of paying these minute clerks additional compensation commensurate with the extra work performed. This is now the practice in the Circuit Court.

It was pointed out, however, that the excessive cost of preparing the records under present methods was due largely to the small average amount of work done by each clerk and the unusually high salary rates which are paid for this character of work. As was said on page 13 of this report with respect to the record-writing work in the Circuit Court office, if the clerks were required to do a fair day's work and were paid only reasonable salary rates, the cost of this work could be greatly reduced. The Bureau repeats, however, that the antiquated methods now in use should be discarded altogether.

Minute Clerks.

The number of regular minute clerks recommended by the Bureau in its report of December, 1911, was 13. This number was based on the number of judges then trying cases in the Superior Court. Investigation shows that for the greater part of the time since that report was issued the maximum number of judges sitting has been 10. Since the calendars made up for the current court year provide for only that number of judges, 10 regular minute clerks and one substitute should be sufficient to man the courts. If additional assistance is needed, the main office force is ample to provide it.

Clerkships Recommended for 1913.

For the year 1913 the Bureau recommends that the follow-

ing 36 assistants be authorized for the Clerk of the Superior Court and that their salaries be fixed at the rates set out below. It is respectfully suggested, moreover, that in the formal order authorizing their employment the descriptive titles appearing in the table be used.

TABLE SHOWING NUMBER OF CLERKSHIPS RECOMMENDED
BY THE BUREAU; ALSO DESCRIPTIVE TITLES AND
SALARY RATES PROPOSED.

Descriptive Titles.	Salary.
1 chief clerk.....	\$ 3,000
1 filing and process clerk.....	2,000
1 assistant filing and process clerk.....	1,500
1 cashier	1,800
1 execution clerk.....	1,800
1 pending file clerk.....	1,320
1 pending file clerk.....	1,200
1 vault clerk.....	1,000
1 register clerk.....	1,200
1 general clerk.....	1,500
1 general clerk.....	1,000
1 stenographer	1,000
1 naturalization clerk.....	1,800
1 naturalization clerk.....	1,500
1 superintendent, record-writing and folio division.....	2,000
1 asst. superintendent, record-writing and folio division..	1,500
1 transcript compiler, record-writing and folio division..	1,200
1 general clerk, record-writing and folio division.....	1,000
1 law record-writer.....	1,800
5 stenographers and typists for work in the record-writing and folio division (\$1,000 each).....	5,000
3 chancery minute clerks (\$1,800 each).....	5,400
7 law minute clerks (\$1,500 each).....	10,500
1 substitute minute clerk.....	1,200
1 judges' stenographer.....	1,500

Saving Which Can Be Effected.

If the clerical force requested for the year 1913 by the Clerk of the Superior Court is authorized, the salary appropriations for the office will aggregate \$85,740 on the basis of the rates now paid. If the foregoing plan of reorganization is adopted, an annual saving of \$33,020 can be made. This amounts approximately to 39 per cent of the present pay roll expenditure.

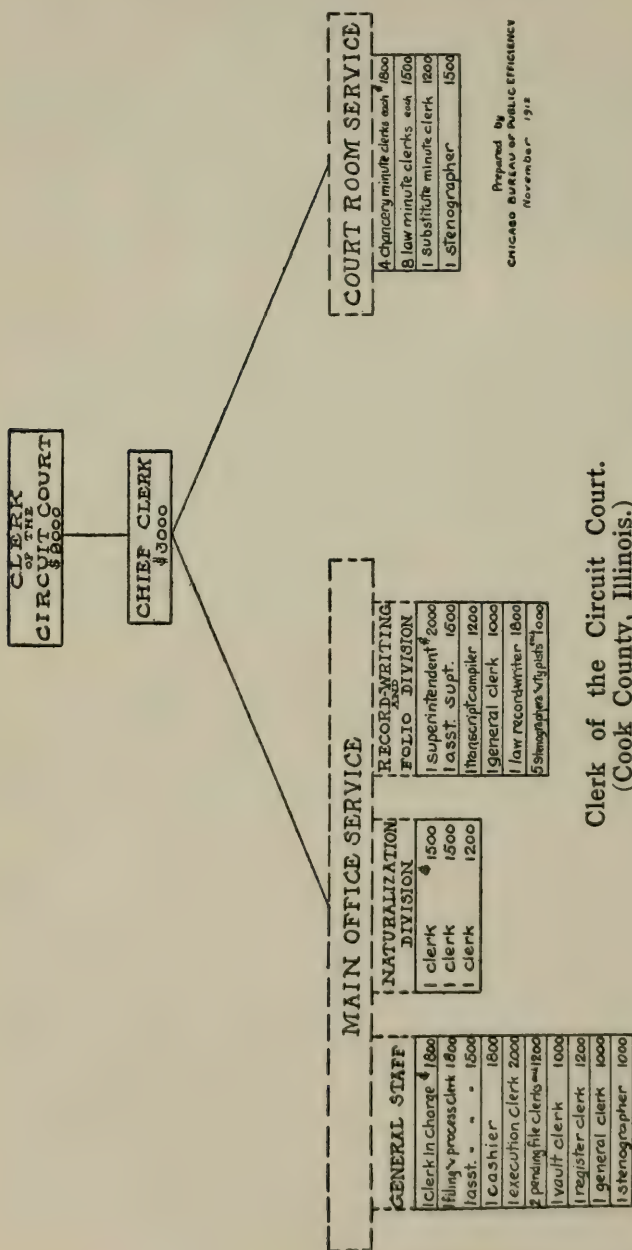
CHARTS OF PROPOSED ORGANIZATION AND SALARY RATES RECOMMENDED.

Charts of proposed organization and salary rates recommended for the year 1913 are shown on the pages immediately following. An examination of these charts and of the tables on pages 14 and 23 of this report will show that for the most part the recommendations made this year conform with those indicated on the charts appearing on pages 20 and 34 of the former report of the Bureau. Several minor exceptions will be noted, however.

An additional clerk is now recommended for the law record-writing work. The reason assigned for this change appears on page 12. It will be noted that only a temporary change is contemplated. The number of minute clerks has been changed to meet the requirements of the current court year. In a few instances changes have been made in the descriptive titles.

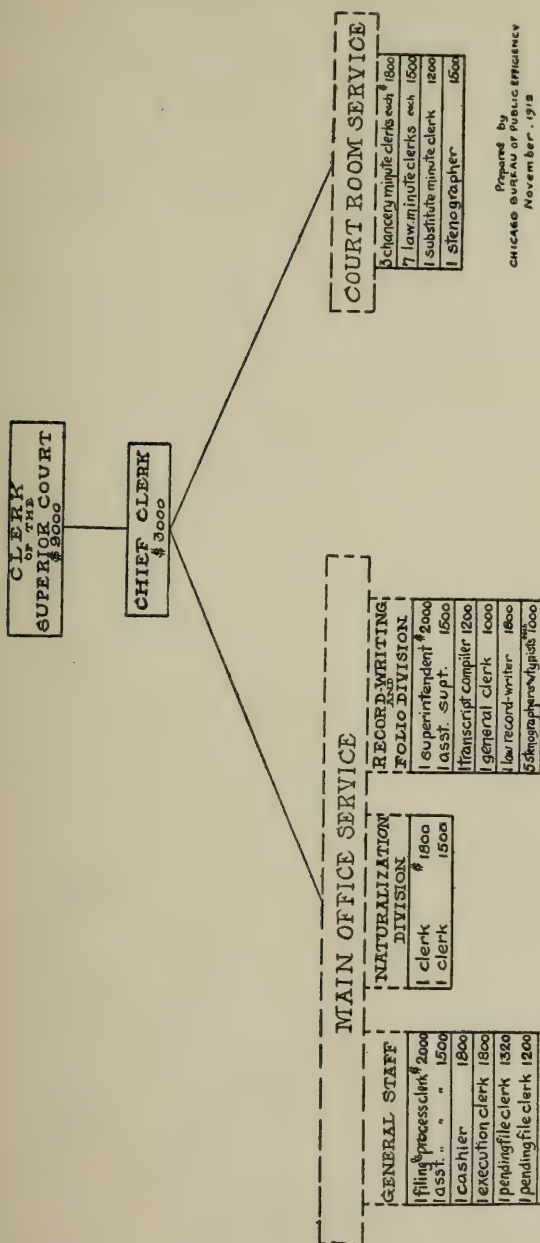
Several discrepancies appear between the salary rates shown on the charts appearing in the former report and those set out in the charts and tables of this report. In a few cases also, the rates recommended for 1913 for corresponding positions in the two offices are not the same.

The Legislature in 1909 increased the compensation of each of these Clerks from \$5,000 to \$9,000 a year. The new rate will go into effect in December, 1912. The rate shown on the former charts for law minute clerks was \$1,320, which was the prevailing rate then paid for this class of service. When the 1912 budget was passed this rate was raised to \$1,500. The Bureau believes that the salaries for this class of work should not be increased beyond the present rate. On the charts shown in this report the present rate has been substituted for the old one. With respect to the other rates shown on the former charts, the Bureau believes that they are such as would afford fair compensation for the character of the work indicated. In making its recommendations for 1913, however, it has adopted for the most part those rates now paid. It has not considered the differences, which appear in only three or four instances, to be of sufficient importance to justify its recommending reductions in these cases so long as the positions are held by the present incumbents.



Clerk of the Circuit Court.
(Cook County, Illinois.)

Chart of Proposed Organization for
1913 Showing Yearly Salary Rates.



Clerk of the Superior Court.
(Cook County, Illinois.)

Chart of Proposed Organization for
1913 Showing Yearly Salary Rates.

THE OFFICE OF
COUNTY TREASURER
of
COOK COUNTY
ILLINOIS

AN INQUIRY INTO THE ADMINISTRATION OF ITS FINANCES
WITH SPECIAL REFERENCE TO THE QUESTION
OF INTEREST ON PUBLIC FUNDS

REPORT PREPARED BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY

315 PLYMOUTH COURT

CHICAGO BUREAU OF PUBLIC EFFICIENCY

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TABLE OF CONTENTS.

	Page.
FOREWORD	4
INTRODUCTION	5
SUMMARY AND CONCLUSIONS	11
Interest on Public Funds.....	11
How the County Treasurer Administers and Accounts for Public Moneys	15
Remittances to Taxing Bodies.....	17
The Treasurer's Compensation.....	17
Needed Legislative Changes	18
Some Pertinent Questions	20
TEXT OF REPORT.....	21
The Powers, Duties, and Compensation of the County Treasurer. Needed Legislative Changes	21
Duties of Treasurer	22
Duties of County Collector.....	22
Duties of Town Collector.....	23
Duties of Town Supervisor.....	24
The Treasurer's Control of Public Funds.....	24
The Bonds Required of the County Treasurer.....	25
The Treasurer's Compensation	26
Needed Legislative Changes	29
The Manner in Which the Funds are Handled and the Accounts Thereof Kept and Audited.....	31
Permission to Inspect Books Demanded by Bureau Trustees....	31
Inspection of the "Public" Records Permitted—What They Disclosed	32
The "Treasurer's" Records and Accounts.....	33
The "Collector's" Records and Accounts.....	38
The "Collector's" So-Called "Private" Records.....	39
The "Collector's" "Public" Records.....	40
The "Public" Records—What They Showed.....	41
Cash Receipts Withheld from "Public" Records.....	42
Conditions Resulting from the Manner in Which the Ac- counts are Operated	46
Remittances to Taxing Bodies.....	49
The Audit of the Treasurer's Accounts.....	51
The Question of Interest on Funds in the Custody of the County Treasurer	53
Mr. O'Connell Refuses to Turn Over Interest Earned in 1912..	57
The Investigation by the Bureau.....	59
Procedure Employed in Estimating Cash Receipts.....	62
The Interest Computations of the Bureau.....	66

FOREWORD.

This report is in line with the general purpose of the Chicago Bureau of Public Efficiency to furnish the public with exact information concerning public revenues and expenditures. It is submitted to the tax-paying public of Cook County in the hope that, through the publicity which it will give to the scandalous conditions which it discloses, it may be instrumental in bringing about a thorough investigation of the manner in which the County Treasurer of Cook County handles and accounts for the public moneys, including the interest earned thereon, which are entrusted to his custody, and in putting an end to many long-standing abuses connected with the administration of the office of County Treasurer.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HARRIS S. KEELER,
Director.

INTRODUCTION.

In the accompanying report on THE OFFICE OF COUNTY TREASURER OF COOK COUNTY, the Chicago Bureau of Public Efficiency presents the situation as it exists to-day with respect to the manner in which the County Treasurer of Cook County handles the public moneys which are entrusted to his custody.

The various funds handled by the Treasurer aggregate in amount approximately \$55,000,000 each year and perhaps the most important aspect of the situation with which this report deals is the question of interest on the very large sums which are from time to time subject to the control of this official.

The question of the retention, by public officials entrusted with the custody of public moneys, of the interest earned on those moneys, when they have been placed on deposit in the banks, is a matter which has long attracted public attention and toward which, in recent years, both the public and the custodians of the funds have shown a marked change of attitude.

There never has been any serious controversy as to the moral right—and, in the case of the County Treasurer, as to the legal right—of the taxpayers to such interest when it has been earned. On the other hand, it is a well recognized fact that a great deal of this interest has not been turned into the public treasury. It has been a common practice in the past for the custodians of these funds to regard the interest as a legitimate “spoil” of office, and to retain it for their own use. This has generally been done under the pretext that they were under

bearing on the question of interest on funds handled by the County Treasurer. There are several other questions connected with the administration of these funds, however, which are so closely related to the interest question that it has been thought best to include a discussion of them in the report. Among the more important of these matters are the question of the manner in which the funds are handled and the accounts thereof kept and audited; the question of the right of taxpayers to inspect the Treasurer's records and accounts; the question of the extent to which the Treasurer should be held responsible for the funds; and the question of the Treasurer's compensation.

As pointed out in the text of the report, the County Treasurer serves in three important capacities, namely, as "treasurer," as "county collector" and as "town collector." The conduct of his office necessarily involves a large amount of administrative detail not directly connected with the questions considered in this report. No attempt, therefore, has been made to cover the business procedure of the office or to describe in detail the accounting methods employed or the books and records used, except in so far as it has been necessary to do so to explain the general manner in which the moneys coming into the control of the Treasurer are handled and accounted for.

The inquiry upon which this report is based was begun in November, 1911. The presentation of the matters covered by the report has been delayed by the refusal of the Treasurer to permit the examination of certain important records of his office.

The records, the examination of which was denied, are kept at public expense and by public employes, but per-

mission to inspect them was refused on the ground that they were "private" records. The matters described on pages 61-65 of the report illustrate, in a measure, the burden of work which the refusal to permit an examination of these so-called "private" records imposed upon the Bureau.

The period for which the accounts described in the report were examined began December 5, 1910, and ended December 21, 1911. Upon this latter date the books of the "treasurer" were closed for the first fiscal year of Mr. O'Connell's term of office. The interest computations cover the period of such fiscal year only.

SUMMARY AND CONCLUSIONS.

INTEREST ON PUBLIC FUNDS.

Treasurer William L. O'Connell paid over to the County, as interest earned during the year 1911 on bank deposits, \$150,557.39. The Chicago Bureau of Public Efficiency computes the interest which the County should have received from the funds held by the County Treasurer during that year to be \$281,526.18. The County has received, therefore, \$130,968.79 less than the amount which the Bureau estimates should have been received and turned over by the County Treasurer.

The exact amount of money actually received by the County Treasurer as interest, or any equivalent of interest, on public funds in his custody, cannot be stated with certainty. The reason for this is that, according to the astonishing statement of the County Treasurer, he has no books or records showing where and when he made deposits of public funds or the amount of the interest or other returns he has in fact received for the use of these funds. If he has any such records, he refuses to disclose them.

Moreover, the exact amount of interest which the funds handled by the Treasurer might have earned at any given rate, if they had been deposited promptly in the banks, cannot be stated with certainty. The reason for this is the fact, also astonishing, that the County Treasurer maintains two classes of records,—namely, those which he calls “public” records and those which he calls “private” records. The “public” records of the office do not contain entries showing the amount of his cash receipts

from day to day. The so-called "private" records do contain such entries, but the Bureau was refused permission to examine them. Because of these conditions, the Bureau was compelled to estimate the Treasurer's daily cash receipts in the manner set forth in the text of this report, and then to determine the amount of his daily cash balances on the basis of such estimated receipts. Fortunately, by analyzing the records to which the Bureau did obtain access, it has been possible to make a close estimate of the amounts which were available for deposit and upon which interest should have been earned and paid over to the County.

The interest figures of the Bureau are based upon estimated average daily balances and a rate of $2\frac{1}{4}$ per cent. This is the rate paid by the banks on funds deposited by the City of Chicago. The Bureau regards this rate of $2\frac{1}{4}$ per cent as conservative, inasmuch as by withholding remittances from the City and other taxing bodies the Treasurer was apparently able to maintain a balance of ten million dollars or more continuously for a period of more than six months.

It is quite probable, however, that the Treasurer should have received and turned over even more than \$281,526.18 in interest. The Treasurer is required to collect and turn over to the County penalties in the form of interest at the rate of one per cent a month on all delinquent real estate taxes collected by him after May 1. During 1911 he turned over only \$113,663.24 as collections received from this source. If \$113,663.24 is all he received in fact from this source, then he must have collected prior to May 2 more than the amounts which the Bureau has estimated he collected up to that date. In that event, the interest which he should have received

from his general balances should have been even greater than \$281,526.18, the amount estimated by the Bureau. If he collected, prior to May 2, only the amounts which, from the records available to it, the Bureau has estimated he collected up to that date, then he must have received as penalties for delinquency more than \$113,-663.24. One of the alternatives is irresistible. *The Bureau believes that the correct conclusion is that he has not accounted by even more than \$130,968 for all the interest on general balances which he did receive, or could have received, and, in the full discharge of his duty to the public, he should have received and paid over to the County.*

The presumption is that the amount of money handled by the Treasurer during 1912 was greater than that handled by him in 1911 and that, therefore, the interest earned during 1912 was greater than that earned in 1911. Notwithstanding this, at the close of 1912 he tendered to the County Board only \$162,212.53 as interest on his deposits of that year. This sum was tendered conditionally and when the Board declined to waive any claims which the County might have on account of interest received by him, other than the \$162,212.53 tendered, Treasurer O'Connell refused to pay over to the County even that amount and he still retains it.

The Constitution of 1870 provides that all fees, perquisites and emoluments of the office of County Treasurer shall be paid into the County treasury. In a case presenting conditions analogous to those which exist in Cook County, the Supreme Court of the State has decided that all interest received on bank deposits is a perquisite or emolument of the office, to be accounted for and paid over to the County.

Notwithstanding this plain provision of the Constitution and the manner in which the Supreme Court has interpreted it with regard to interest earnings, the present County Treasurer of Cook County denies the legal right of the County to interest received on his bank deposits. His predecessors in office have taken the same position.

It is only since 1902 that the County has received any interest on funds deposited by the County Treasurer. The treasurers who have held office since that date have turned over certain lump sums each year, but have insisted that they did so in pursuance of pre-election pledges, not because of any legal obligation on their part to make the payments. There never has been any detailed accounting with respect to such payments. Not even the rate at which the amount turned in was computed has been disclosed.

The Bureau recommends to the County Board:

1. That it demand from Treasurer O'Connell a full and complete accounting in the matter of interest on bank deposits and of all other fees, perquisites, and emoluments of his office, and
2. That in case of his failure to make such an accounting, the Board institute legal proceedings, not only to compel him to render an account, but to recover such interest or other fees, perquisites or emoluments, if any, as he may have failed to pay over to Cook County.

HOW THE COUNTY TREASURER ADMINISTERS AND ACCOUNTS FOR
PUBLIC MONEYS.

In administering the public moneys entrusted to his keeping, Treasurer O'Connell maintains two classes of records,—namely, “public” records and so-called “private” records. Both are used to record the financial transactions of his office; both are kept by public employes at public expense. Important entries relative to the receipt of taxes never appear upon the “public” records.

The entry of the receipt of millions of dollars of taxes and special assessments collected by him each year is withheld from his “public” ledgers for long periods after the time when the money is received.

The Bureau estimates that of \$26,493,422.39 entered of record December 14, 1911, approximately \$23,000,000 was actually received prior to June 1, 1911; and that practically all of \$2,197,347.70 in railroad taxes put upon the books September 15 was collected prior to May 1.

Treasurer O'Connell denies the right of citizens and taxpayers to examine the so-called “private” records of his office. He has even refused to permit the County Board to examine any records of his office except his “public” records.

By concealing his real transactions with the banks and also the amount of cash received by him daily, the County Treasurer succeeds in preventing not only the tax-paying public, but also the County Board, which is charged with the duty of approving his accounts, from ascertaining whether or not he has accounted for all interest earned on the public funds while they are in his possession.

By withholding from the “public” records for long

periods entries showing the receipt of moneys collected on account of taxes and special assessments, the Treasurer keeps the City and other taxing bodies in ignorance of the respective amounts to the payment of which they are from time to time entitled. He thus avoids making remittances to them which they might otherwise demand.

Because of the policy of secrecy which surrounds the administration of the Treasurer's office and his refusal to permit an examination of those records of the office which he calls "private" records but which are kept by public employes at public expense, almost insurmountable difficulties are met with by citizens and taxpayers seeking information concerning the financial transactions of the office and the manner in which Treasurer O'Connell handles public funds.

Notwithstanding the enormous sums of public money which the County Treasurer handles, there is absolutely no check or audit of his accounts, except such as may be conducted by himself and his bondsmen.

The Bureau takes the position that public business—especially the public business of an official like the County Treasurer who is entrusted with the custody of public funds—should be carried on publicly. It is the duty of the County Board to examine and to approve or correct the accounts of the County Treasurer. The conduct of Treasurer O'Connell in refusing to permit the County Board and citizens and taxpayers to examine all of his books and records cannot be too severely condemned. The Bureau recommends that the Board insist upon its rights to examine these accounts and that it take steps immediately to compel Treasurer O'Connell to submit all such accounts and records to a complete and disinterested audit.

REMITTANCES TO TAXING BODIES.

In making remittances to the City and other taxing bodies on account of taxes and special assessments collected for them, Treasurer O'Connell entirely disregards the plain provisions of the statutes. His policy is to withhold collections until the urgent needs of the taxing bodies for money make it necessary for him to pay it over.

The present Treasurer has repeatedly complained of the responsibility which the statutes impose upon him in making him liable for the safe keeping of funds collected by him until he pays them over to the taxing bodies. Nevertheless, he has actually increased the burden of this responsibility by withholding collections after the time when the taxing bodies were legally entitled to receive them.

THE TREASURER'S COMPENSATION.

Under the Constitution of Illinois, the County Treasurer is entitled to receive as his only compensation a salary to be fixed by law which shall not be as much as the lawful compensation of a Circuit Court Judge—at present \$10,000 a year. The Legislature has fixed the Treasurer's salary at \$4,000. With the possible exception of his bondsmen, no person but himself knows what the actual compensation of the Treasurer is. Admittedly it is many times \$4,000 a year.

As *ex-officio* "town collector" of each of the seven Chicago towns, he retains \$1,500 in commissions—an aggregate of \$10,500 a year. He also retains two per cent on all inheritance taxes collected by him. In 1911 these commissions amounted to \$20,617.64. During the year 1911, his total admitted compensation, therefore, was \$35,117.64.

Under a recent act of the Legislature, the County treasurers hereafter elected may claim an additional \$10,500 in "town collector's" commissions. Inheritance tax fees are steadily increasing, and, if the present practice of retaining them is continued, the Treasurer's admitted compensation may soon exceed \$50,000 a year.

It is the opinion of the Bureau that the salary of \$4,000 a year fixed by the Legislature is the maximum compensation to which the Treasurer is at present legally entitled. It is the further opinion of the Bureau that he has no right to retain either the "town collector's" commissions or the inheritance tax fees above mentioned.

In view of the responsibilities with which the Treasurer is charged and the amount and nature of the bonds which he is required to furnish, a salary of \$4,000 is inadequate, but this furnishes no excuse for the retention of interest on the public funds or of other fees, perquisites and emoluments of his office. The County Treasurer has no right to put his hands in the till and take the public moneys merely because the law does not give him an adequate salary.

NEEDED LEGISLATIVE CHANGES.

To remedy the conditions at present surrounding the administration of the funds entrusted to the County Treasurer in his several capacities, the Bureau recommends the enactment of legislation for the following purposes:

1. To make it mandatory upon the Treasurer to deposit such funds in banks to be designated by the County Board; such deposits to be made upon conditions similar to those which now obtain with respect to the deposit of the funds of the City of Chicago.

2. To relieve the Treasurer of all responsibility for such funds when he has deposited the same in such banks and while in the custody of the banks, and to permit the withdrawal of the funds from the banks upon the order of the Treasurer only when accompanied by a warrant or order signed by some other officer to be designated for such purpose.

3. To authorize the County Board to contract for the payment of interest on such bank deposits and to prohibit the County Treasurer, or any other public official, from retaining any of the interest accruing on such deposits, or any profit, perquisite, or emolument on account thereof.

4. To provide for the keeping of proper accounts in connection with the administration of such funds and the interest thereon; for the examination and audit of such accounts by a disinterested officer or agency; and for an adequate degree of publicity concerning the manner in which such funds are handled and all of the records and accounts thereof kept.

5. To make suitable provisions concerning the nature and amount of the bonds to be furnished by the Treasurer.

6. To provide definite and adequate compensation for the Treasurer.

In order that legislation of the nature above recommended may be enacted so as to become effective at the time that the next County Treasurer takes office, the Bureau recommends to His Excellency, Governor Edward F. Dunne, that in case he shall convene the Legislature in special session he include the subject of such legislation among the matters to be considered at such special session.

SOME PERTINENT QUESTIONS.

In view of Treasurer O'Connell's often repeated statement that he has turned over or tendered to the County all of the interest which has accrued on the public funds held by him, the Bureau suggests the following pertinent questions:

1. Why did Treasurer O'Connell refuse to pay over to the County the \$162,212.53, tendered as interest earned in 1912, unless the County would waive its claim to any additional interest received by him? (See pages 57-59.)

2. Why does he keep no books or records showing his interest or deposit accounts with the banks? (See pages 33, 59.)

3. Why does he maintain both "public" and "private" records? (See pages 31-32, 38-41.)

4. Why does he fail to show upon the "public" records the receipt of millions of dollars in tax collections until months after the money is actually received? (See pages 42-46.)

5. Why does he cling tenaciously to tax collections after the time when the City and other taxing bodies are entitled to them? (See pages 49-50.)

6. Why does he refuse to permit the County Board to examine and audit his accounts? (See page 51.)

7. Why does he refuse to permit citizens and taxpayers to examine the so-called "private" records of his office? (See pages 32, 61.)

8. Does he fear that an examination of his books will disclose that he has not turned over all of the interest which has accrued, or that such an examination will show that he is not competent to handle the funds entrusted to him to the advantage of the tax-paying public?

THE OFFICE OF
COUNTY TREASURER
OF
COOK COUNTY.

AN INQUIRY INTO THE ADMINISTRATION OF ITS FINANCES WITH
SPECIAL REFERENCE TO THE QUESTION OF
INTEREST ON PUBLIC FUNDS.

THE POWERS, DUTIES, AND COMPENSATION OF THE
COUNTY TREASURER. NEEDED LEG-
ISLATIVE CHANGES.

The County Treasurer of Cook County is *ex-officio* county collector. He is also *ex-officio* town collector and town supervisor of each of the seven townships (South Chicago, Hyde Park, Lake, West Chicago, North Chicago, Lake View, and Jefferson) which lie wholly within the territorial limits of the City of Chicago.

It should not be inferred from the foregoing statement, however, that the County Treasurer holds 16 separate and distinct offices. There is, in fact, but one office—that of County Treasurer. The duties which he performs under the titles of “county collector,” “town collector,” and “town supervisor,” respectively, are additional duties which the Legislature, without creating any additional offices, has imposed upon the Treasurer. These additional duties are distinct, nevertheless, from the duties which he performs as “treasurer.”

DUTIES OF TREASURER.

As "treasurer," his duties involve primarily the custody and disbursement of the revenues and funds of Cook County. The Legislature has also required the "treasurer" to act as inheritance tax collector for the State and has designated him as the depositary and custodian of certain other funds which do not belong to the County.

DUTIES OF COUNTY COLLECTOR.

As "county collector," his duties are chiefly those of a collector of delinquent taxes and special assessments which he subsequently turns over to the proper authorities of the State, County, City, Sanitary District, Park Boards, and other taxing bodies. With the exception of taxes levied on railroad property and on the capital stock of telegraph companies, the warrants for the collection of which are delivered to the "county collector" in the first instance by the County Clerk, all of the moneys which are received by the "county collector" are received on account of delinquent taxes and delinquent special assessments.

On March 10, of each year, all unpaid general taxes levied on both personal property and real estate become delinquent. On or about that date, the collector's warrants in the hands of the several township collectors are turned over to the "county collector." Delinquent special assessment lists are also turned over to him for collection by the city, village and other local collectors. These latter lists are usually received by the "county collector" about April 1. Immediately upon the receipt of the delinquent general tax and special assessment books, the "county collector" begins his collections of

the items which appear thereon and continues to make such collections until the books are closed with the return by him to the County Clerk of what is commonly called "the error and abatement list"—a list of those items which for various reasons he has been unable to collect. The funds handled by the "county collector" consist largely of voluntary payments made to him on account of current taxes and special assessments, and the proceeds of the sale of real estate sold by him for the purpose of enforcing the payment of general taxes and special assessments levied against such real estate. Relatively small amounts come into his hands through the voluntary payment or enforced collection of personal property taxes levied prior to the tax which is currently in collection, and also through the redemption of real estate from forfeitures on account of both delinquent general taxes and special assessments.

DUTIES OF TOWN COLLECTOR.

As "town collector," the Treasurer's duties are simply those of a collector of current general taxes levied on both real and personal property. As "town collector" he begins to receive such taxes as soon as the collector's warrants are turned over to him by the County Clerk—usually early in January—and continues his collections until March 10, when as "county collector" he goes through the formality of settling his accounts with himself as "town collector" and as "town collector" turns over the books to himself as "county collector." The taxes which he collects as "town collector" he subsequently turns over to the State, County, City, Sanitary District, Park Boards, and other taxing bodies.

DUTIES OF TOWN SUPERVISOR.

As "town supervisor," the Treasurer is custodian of certain moneys raised by the towns of Lake View and North Chicago for the acquisition and maintenance of the small parks under the jurisdiction of the Lincoln Park Board. These are the only duties which he performs as "town supervisor" which are at all pertinent to the subject matter of this report.

THE TREASURER'S CONTROL OF PUBLIC FUNDS.

The County Treasurer is charged by law with the duty of receiving and disbursing public moneys in accordance with the provisions of the statutes. There are no laws, however, governing the disposition of the funds while they are in his custody. He may lock them up in his own vaults or in other depositories, or he may deposit them in the banks at interest, or not, at his option. His power of control over the funds, during the period that they are in his custody, is absolute. On the other hand, his liability to keep them safely and to disburse them properly is also absolute. The Legislature has never made any provision by which, pending the final disbursement of the funds, he can relieve himself of any part of this responsibility.

The situation above described contrasts sharply with the conditions under which the City Treasurer of Chicago administers the funds entrusted to him. The City Council is authorized to designate the banks in which City funds shall be deposited and to contract for the payment of interest on the deposits. The banks designated by the Council are required to furnish bonds to the City, and when the City Treasurer has deposited City funds in any

such bank he is thereby discharged from all responsibility for the moneys thus deposited. After City funds have been once deposited, they can be withdrawn on the treasurer's check only when accompanied by the city comptroller's warrant for the amount. Neither the City Treasurer nor any other city officer is permitted to retain any of the interest accruing on bank deposits.

The provisions made by the Legislature for the custody of City funds not only relieve the City Treasurer of the very heavy responsibility imposed upon the County Treasurer, but they insure publicity with respect to the manner in which the funds are handled and proper accounting for the interest earned thereon. Similar legislation should be enacted with respect to the administration of funds entrusted to the County Treasurer.

THE BONDS REQUIRED OF THE COUNTY TREASURER.

During the fiscal year 1911, the County Treasurer handled a total of approximately \$55,000,000; the largest amount of money subject to his control at any one time probably did not exceed \$25,000,000. As security for these funds he was required to furnish two bonds aggregating in amount \$11,000,000, with personal sureties in each case. Treasurer O'Connell has stated that, in order to obtain these personal bondsmen, he was obliged to indemnify them against loss by giving a surety company bond for \$750,000, the premium upon which he was required to pay out of his personal funds.

The City Treasurer of Chicago handles about \$70,000,000 annually. The average daily balance of City funds on deposit is estimated at approximately \$17,000,000. Since 1907, and until within the past few months, a

bond of only \$2,000,000 has been required of the City Treasurer. This bond has been furnished by a surety company and the City has paid the premium. The relatively small amount of this bond has been due to the fact that the City Treasurer has been required to deposit City funds in the banks designated by the City Council, and when he has done so his responsibility for the money has ended. There has been no occasion, therefore, for requiring a bond of the size furnished by the County Treasurer. Such additional security as the safety of the funds required has been furnished by the banks holding them. So far as the general corporate fund is concerned, the situation just described still obtains. Within the last few months, however, the City Treasurer has given an additional bond for \$3,000,000 with personal sureties. The reason assigned for the giving of this additional bond is that the Legislature has made no provision for depositing school funds in the banks. The school funds, therefore, are deposited by the City Treasurer on his own responsibility, which continues to exist until he disburses them or turns them over to his successor.

Manifestly, the policy adopted by the City with respect to the responsibility with which the City Treasurer shall be charged and the amount of bond to be required of him is superior in every way to that pursued in the case of the County Treasurer with respect to the same matters.

THE TREASURER'S COMPENSATION.

The Constitution of 1870 provides that the County Treasurer of Cook County shall receive, as his only compensation for his services, a salary to be fixed by law, which shall not be as much as the lawful compensation

of a Judge of the Circuit Court. The salary of a Circuit Court Judge is now \$10,000. The Constitution provides further that all fees, perquisites, and emoluments, above the amount of said salary, shall be paid into the County treasury.

In pursuance of this provision of the Constitution, the Legislature has fixed the Treasurer's salary at \$4,000 a year, but no person other than the Treasurer himself, with the possible exception of his bondsmen, knows how much the total compensation of the office actually amounts to. Admittedly, it is many times \$4,000 a year. As "town collector" of each of the seven Chicago townships, he retains \$1,500 in commissions—an aggregate of \$10,500 a year. He also retains two per cent on all inheritance taxes collected by him. In 1911, these commissions amounted to \$20,617.64, so that during that year his total *admitted* compensation was \$35,117.64. Under a recent act of the Legislature, County Treasurers hereafter elected may claim an additional \$10,500 in "town collector's" commissions. Inheritance tax fees are steadily increasing and if the present practice of retaining them is continued, the Treasurer's admitted compensation may soon exceed \$50,000 a year.

The Supreme Court of this State has decided that the Legislature, in making the Treasurer *ex-officio* "county collector," did not create another office, but simply imposed additional duties upon the Treasurer; therefore, the commissions provided by law for the "county collector" are fees of the Treasurer's office which, under the constitutional provision referred to, he is prohibited from retaining for his own use. The courts have not passed on this question with respect to the "town col-

lector's" commissions, but the foregoing principles and reasoning seem applicable to them and seem to bar the legal right of the Treasurer to retain any part of the \$10,500 "town collector's" commissions now retained by him.

The inheritance tax act authorizes the Treasurer "to retain two per cent on all taxes paid and accounted for by him under this act, in full for his services * * * in addition to his salary or fees now allowed by law." Clearly, the commission thus provided for is not a "salary," which the Constitution requires shall be fixed by law as the only compensation to which the Treasurer shall be entitled. Moreover, if in effect this section of the inheritance tax act authorizes the Treasurer to retain compensation in excess of the maximum allowed by the Constitution, the section would seem to be plainly unconstitutional. A more reasonable interpretation of the section is to regard the commissions authorized as fees of the Treasurer's office to be turned into the County treasury. Such a construction has been adopted by the Supreme Court in an analogous case concerning fees authorized for the State Treasurer.

That the County Treasurer personally is not entitled to such commissions seems scarcely open to controversy.

It is the opinion of the Bureau that the salary of \$4,000 a year fixed by the Legislature is the maximum compensation to which the Treasurer is at present legally entitled. In view of the responsibilities with which he is charged and the amount and nature of the bonds he is required to furnish, such a salary is inadequate. It should be raised to the maximum which may be allowed by the Constitution of the State.

NEEDED LEGISLATIVE CHANGES.

To remedy the conditions at present surrounding the administration of the funds entrusted to the County Treasurer in his several capacities, the Bureau recommends the enactment of legislation for the following purposes:

1. To make it mandatory upon the Treasurer to deposit such funds in banks to be designated by the County Board; such deposits to be made upon conditions similar to those which now obtain with respect to the deposit of the funds of the City of Chicago.

2. To relieve the Treasurer of all responsibility for such funds when he has deposited the same in such banks and while in the custody of the banks, and to permit the withdrawal of the funds from the banks upon the order of the Treasurer only when accompanied by a warrant or order signed by some other officer to be designated for such purpose.

3. To authorize the County Board to contract for the payment of interest on such bank deposits and to prohibit the County Treasurer, or any other public official, from retaining any of the interest accruing on such deposits, or any profit, perquisite or emolument on account thereof.

4. To provide for the keeping of proper accounts in connection with the administration of such funds and the interest thereon; for the examination and audit of such accounts by a disinterested officer or agency; and for an adequate degree of publicity concerning the manner in which such funds are handled and all of the records and accounts thereof kept.

5. To make suitable provisions concerning the nature and amount of the bonds to be furnished by the Treasurer.

6. To provide definite and adequate compensation for the Treasurer.

In order that legislation of the nature above recommended may be enacted so as to become effective at the time that the next County Treasurer takes office, the Bureau recommends to His Excellency, Governor Edward F. Dunne, that in case he shall convene the Legislature in special session he include the subject of such legislation among the matters to be considered at such special session.

THE MANNER IN WHICH THE FUNDS ARE HANDLED AND THE ACCOUNTS THEREOF KEPT AND AUDITED.

In November, 1911, the Bureau decided to undertake an investigation of the Treasurer's records and accounts for the purpose of ascertaining, if possible, how the public funds in that office were being handled and whether or not the interest thereon was being accounted for. The decision to make such an investigation was prompted in part by the fact that on several occasions previous to that time Treasurer O'Connell had denied the right of taxpayers and citizens to inspect the books and records of his office, and had stated to officials of the Bureau that he would not permit an examination of his books of account, especially his ledger accounts, because such an examination might disclose information which he did not wish to become public.

PERMISSION TO INSPECT BOOKS DEMANDED BY BUREAU TRUSTEES.

The Trustees of the Bureau took the position that public business—especially the public business of an official like the County Treasurer, who is entrusted with the collection and custody of public funds—should be carried on publicly. They were of the opinion, moreover, that the Treasurer was legally obliged to open his books and records to the inspection of citizens and taxpayers under reasonable conditions. Acting on this latter assumption, four of the Trustees of the Bureau—Julius Rosenwald, Onward Bates, Charles R. Crane, and Henry B. Favill—

went in person to the office of the Treasurer, and, as citizens and taxpayers, made a formal demand upon Mr. O'Connell for permission to examine his books. When this demand was made, Mr. O'Connell receded from his former position to the extent of saying that the "public" records of the office might be inspected.

INSPECTION OF THE "PUBLIC" RECORDS PERMITTED—WHAT THEY DISCLOSED.

In complying with the demand of the Trustees of the Bureau, Mr. O'Connell turned over to its accountants two separate sets of books. One purported to contain his accounts as "treasurer"; the other, his accounts as both "county collector" and "town collector." Each consisted of a general ledger with its accompanying cash book and journal.

The most superficial inspection of the "public" records at once disclosed that the office must keep other records, particularly in connection with the "collector's" accounts. To illustrate: The books showed that millions of dollars in tax collections had been paid over to the several taxing bodies of the county before any entries appeared on these "public" records to indicate that the collections had been made.

Ultimately, the Bureau accountants discovered certain supplemental records and became acquainted with the nature of their contents. The accountants were refused access to these other records, however, so far as being permitted to draw off detailed data therefrom was concerned, on the ground that the supplemental records were not "public" records.

The "public" records in question contained no entries showing the Treasurer's accounts with the banks, and the only entry relative to interest on bank deposits, which appeared anywhere in the books, was an item of \$145,-157.39 on December 21, 1911. This amount represented the \$150,557.39 reported to the County Board, less \$5,400 arbitrarily deducted for "attorneys' fees." Moreover, Mr. O'Connell informed the officials of the Bureau that *neither in his office nor elsewhere* did he keep any books or records showing either his interest or deposit accounts with the banks. This statement is incredible.

THE "TREASURER'S" RECORDS AND ACCOUNTS.

In the "treasurer's" general ledger are carried all accounts of Cook County funds, the accounts of State inheritance tax collections, and the accounts of deposits made in connection with condemnation proceedings. Several other minor accounts, representing funds of which the County Treasurer is the custodian, are also carried in this ledger. In addition, this ledger contains accounts of the Treasurer, acting as "*ex-officio* supervisor" of the towns of North Chicago and Lake View, which show a part of his transactions in connection with the small park bond and maintenance funds of those towns.

During the period covered by this report (December 5, 1910, to December 21, 1911,) the total receipts of the County Treasurer in his several capacities were \$55,-198,887.77; the disbursements were \$51,457,566.99. These amounts included (a) the balance on hand December 5, 1910, and (b) transfers between funds. Of these amounts,

\$13,575,162.75 and \$11,454,622.14, respectively, were covered by entries in the "treasurer's" ledger. The following table shows in summarized form on what accounts the latter amounts were received and disbursed.

Table Showing a Summary of the Receipts and Disbursements of the "Treasurer" of Cook County for the Period from December 5, 1910, to December 21, 1911.

FUND	BALANCE, Dec. 5, 1910	RECEIPTS	TOTAL	DISBURSE- MENTS	BALANCE Dec. 21, 1911
COOK COUNTY FUNDS:					
General Fund.....	\$ 209,951.14	\$8,623,727.73	\$8,833,678.87	\$8,292,792.60	\$ 540,886.27
Abstract Guaranty and Torrens Indemnity Funds.....	3,891.44	6,452.94	10,344.38	.....	10,344.38
Bond Interest and Redemption Funds.....	39,565.38	941,587.50	981,152.88	963,219.75	17,933.13
New Hospital and Infirmary Building Funds.	294,181.92	950,157.00	1,244,338.92	343,598.68	900,740.24
TOTAL COOK COUNTY FUNDS.....					
	\$ 547,589.88	\$10,521,925.17	\$11,069,515.05	\$9,599,611.03	\$1,469,904.02
INHERITANCE TAX FUND.....	67,810.60	1,339,111.29	1,406,921.89	1,086,143.01	320,778.88
CONDEMNATION DEPOSITS.....	110,890.14	608,491.60	719,381.74	548,120.74	171,261.00
TAVERN LICENSE FUND	4,010.01	9,187.50	13,197.51	11,277.51	1,920.00
INSTITUTE FUND.....	2,872.28	1,978.00	4,850.28	2,135.50	2,714.78
SUNDRY DEPOSITS.....	9,648.37	37,746.84	47,395.21	22,688.57	24,706.64
MISCELLANEOUS FUNDS.....	61,470.65	11,968.45	73,439.10	8,164.24	65,274.86
TOWN SUPERVISORS' ACCOUNTS: Small Park Maintenance and Bond Funds.....	108,478.08	131,983.89	240,461.97	176,481.54	63,980.43
GRAND TOTAL.....	\$ 912,770.01	\$12,662,392.74	\$13,575,162.75	\$11,454,622.14	\$2,120,540.61

The \$8,623,727.73 shown in the preceding table as receipts credited to the Cook County General Fund was made up of the following items:

*Town Collectors' Commissions.....	\$ 178,554.85
**Tax Collections	3,738,662.19
**County Collector's Commissions.....	409,622.14
**Penalties on Delinquent Taxes.....	113,663.24
**Surplus Costs Collected on Account of Tax Sales.....	10,762.41
†Tax Loans	2,895,000.00
‡Fee Office Collections	1,066,938.86
Interest on Bank Deposits.....	145,157.39
Miscellaneous Receipts	2,238.88
Transferred from New Hospital and Infirmary Fund	63,127.77
Total	\$8,623,727.73

*Deducted from tax collections made for taxing bodies in seven city towns by "town collector." (Includes \$10,489.94 salary retained by Treasurer as *ex-officio* "town collector.")

**The amounts included in these items appear as lump sums received from time to time by the Treasurer, in his capacity as such, from himself acting as "county collector."

†Borrowed from banks.

‡Paid over to Treasurer by county fee officers.

The receipt and disbursement of Cook County funds, State inheritance tax collections and condemnation deposits include the most important transactions of the "treasurer's" office.

Cook County funds come to his hands chiefly in the form of lump sums, being (a) transfers from himself as "collector," (b) remittances by the several county fee officers, (c) loans from the banks in anticipation of fu-

ture tax collections, and (d) proceeds from bond sales. The nature of the transactions involved in the receipt of these County funds is such that no extended consideration of them is called for in this connection. The question of the manner in which the "collector's" funds are handled and accounted for prior to their transfer to the "treasurer's" records will be discussed in connection with the "collector's" accounts. The fee office receipts are audited in detail by the Comptroller on whose warrant they are paid to the Treasurer. So far as the Bureau accountants were able to ascertain, disbursements of County funds (except in the case of "town collectors'" commissions and salary and the attorneys' fees deducted from the item of interest on bank deposits) were made on warrants drawn by the Comptroller after approval by the County Board. The accounts relating to Cook County funds were checked with the Comptroller's records and were found to agree therewith.

Inheritance taxes collected from the estates of deceased persons are accounted for directly to the State officials.

Condemnation deposits, as the item indicates, grow out of proceedings for the condemnation of real estate for public or quasi-public use and the money deposited is ultimately paid over, in accordance with the judgment of the court, to the persons whose property is taken through the proceedings.

Small park bond and maintenance funds, which the Treasurer handles as *ex-officio* "town supervisor" of North Chicago and Lake View, are derived from the sale of bonds and from tax collections. They are disbursed under the direction of the Lincoln Park Board.

Entries in the "treasurer's" ledger are posted from a

cash book and journal. The accountants of the Bureau were refused any information as to the form or nature of the data furnished the bookkeepers operating the cash book and journal, but apparently these books are books of original entry. The entries therein which were examined would indicate that they had been made currently from day to day in the ordinary course of business.

A complete audit of the "treasurer's" accounts would involve an examination of the data supporting the entries in the cash book and journal. It is the opinion of the Bureau that such data should be open to public inspection under reasonable restrictions. So far as the books themselves are concerned, however, there was nothing on their face to indicate any irregularity in their keeping, but, since the Bureau was denied access to the data supporting the entries, it is not in a position to state whether or not they are susceptible of complete audit.

THE "COLLECTOR'S" RECORDS AND ACCOUNTS.

So far as the accountants of the Bureau have been able to ascertain, the financial records of the Treasurer kept in his capacity of (a) "county collector" and (b) "town collector" of the seven Chicago towns consist of:

1. THE "COLLECTOR'S" GENERAL TAX WARRANTS. These are books prepared by the County Clerk. They show not only the aggregate amount of tax levied against each person or piece of real estate but also the distributive share to which each taxing body interested therein is entitled. The books are numbered consecutively from one upward. Some time after each collection has been made, the name of the party paying the item and the amount and date of payment are entered in a column provided for that purpose.

2. THE DELINQUENT SPECIAL ASSESSMENT LISTS returned to the "county collector" by the local collectors of the several municipal corporations throughout the county. The lists returned by each local collector show the numbers of the warrants for collection issued to him; also the amount of each assessment or installment thereof to be collected by the "county collector," and the interest accrued thereon to April 1. A column is provided on each list in which the name of the party paying each item and the amount and date of payment are entered by the "county collector" after he has received the amount returned for collection.

The "Collector's" So-Called "Private" Records.

3. THE TELLERS' DAILY CASH COLLECTION SHEETS. When collections are made on account of either general taxes or delinquent special assessments, the amounts received are immediately distributed on one of these sheets by the receiving teller's assistant in accordance with the following classification:

- A. General tax.
 - (1) Tax; (2) Interest; (3) Costs.
- B. City special assessments.
 - (1) Assessment; (2) Interest; (3) Costs.
- C. Country special assessments.
 - (1) Assessment; (2) Interest; (3) Costs.
- D. Boulevard and park special assessments.
 - (1) Assessment; (2) Interest; (3) Costs.

The amounts entered on these sheets are totaled, and, at the close of each day's business the tellers' cash is balanced against the totals shown on the sheets.

4. A FILE OF DUPLICATE BILLS. All general tax and special assessment bills are made in duplicate. As each

general tax bill is made, the number of the warrant book is placed thereon. Special assessment bills bear the number of the warrant issued to the local collector. When collections are made, the duplicate bills are retained by the receiving tellers who send them to the auditing division. There they are sorted in accordance with the warrant numbers appearing on them, and the total amount collected each day on account of each warrant is ascertained by footing the items on all of the duplicate bills bearing the same date and warrant number.

5. **THE AUDITOR'S LEDGERS.** The accounts in these ledgers are designated by numbers which correspond to the numbers of the general tax and special assessment warrants certified to the "collector" for collection. Each ledger account shows the total amount of tax or assessment certified for collection in the warrant bearing the corresponding number, and each day, as collections are made, the total amount collected on account of any warrant is posted to the ledger account designated by the number of that particular warrant.

*The "Collector's" "Public" Records.**

6. **THE GENERAL LEDGER, CASH BOOK AND JOURNAL.** The books which the "collector" terms his "public" records and which the accountants of the Bureau were permitted to examine consist of a general ledger with its accom-

*The general tax warrants and delinquent special assessment lists described on pages 38-39, consisting each year of about 500 large books, are public records. When entries therein have been completed, these books show separately the amount of each item collected. Because of the form in which they are required to be kept, however, they are of no practical use to any one desiring to determine at any time either the status of the "collector's" cash account or the status of his accounts with the different taxing bodies; nor are they of any practical use to any one wishing to determine the amount of money received on any given day, or during any given period. Therefore, in the discussion which follows relative to the "collector's" "public" records and accounts, these warrant books have not been taken into consideration.

panying cash book and journal. In these books are recorded the ultimate facts relative to the transactions of the "collector" with each of the taxing bodies within the county. In the case of the seven Chicago towns where the Treasurer acts as both "county collector" and "town collector," but one account with each taxing body is used in recording his transactions in both capacities.

The "Public" Records—What they Showed.

The public records submitted for inspection showed entries covering

- (a) Costs collected on delinquent general tax and special assessment bills,
- (b) Delinquent special assessments collected for the City of Chicago,
- (c) All remittances to the several taxing bodies on account of both general taxes and special assessments collected for such bodies.

These entries apparently had been made from day to day in the ordinary course of business. To this extent the books seemingly set forth *bona fide* transactions as they occurred. This was not true, however, of the entries which purported to show cash received by the "collector" from the following sources:

- (a) General tax collections.
- (b) Delinquent special assessments other than those returned by the City of Chicago.
- (c) Interest penalties collected on delinquent general taxes.

The "public" records showed no accounts with banks or other depositaries, and there were no entries in these records indicating what disposition had been made of the public funds during the time that they were under the control of the "collector."

Cash Receipts Withheld from "Public" Records.

With respect to cash received on account of general tax collections, the practice was not to show its receipt upon the "public" records until the distributive share of each taxing body in certain aggregate amounts collected had been determined. When these distributive shares had been ascertained, entries were made crediting each taxing body with its respective share. At the same time the "collector" charged himself, through an entry in his cash account, with the aggregate amount of such credits. These entries in the cash account, therefore, while they purported to show the receipt of cash on the dates under which they appeared, in fact, constituted the first public acknowledgment by the "collector" that he had received cash, the greater part of which in most instances had been in his hands for considerable periods before the entries were made.

During the year 1911, charges of the foregoing nature were made to the "collector's" cash and the corresponding credits were shown in the accounts of the several taxing bodies on but seven different dates. The following table shows the dates upon which these entries were made, the nature of the collections covered by each entry, and the aggregate amount charged to cash in each instance.

Table Showing Dates and Amounts of Entries on the "Collector's" Cash Account During the Year 1911; Also the Nature of the Items Covered by Each Entry.

Date of Entry	Collections Covered by Entry	Aggregate Amount Charged to Cash
March 18, 1911,	"Town collector's" collections up to March 10, in seven city towns.	\$ 8,729,055.07
April 10,	State taxes collected in part by country town collectors and in part by "county collector" ..	189,619.64
September 15,	Railroad taxes.	2,197,347.70
November 8,)	Collections of taxes of prior years, forfeiture redemptions, etc.	147,210.98
November 9,)		3,410.39
November 13,)		9,591.63
December 14,	Taxes (other than railroad taxes, taxes for prior years, etc.,) received by "county collector" between March 10, and December 15, 1911..	26,493,422.39
	TOTAL.	\$37,769,657.80

Obviously, the above amounts were not received as lump sums on the dates shown. What these sums really represent are tax collections made months before and withheld from the "public" records until the dates shown. Of the \$26,493,422.39, entered December 14, it is estimated that more than \$23,000,000.00 was collected prior to June 1.

In addition to the amounts represented by the foregoing items, during the year 1911 the "collector" received from general tax collections the aggregate amount of \$3,548,809.83. This sum represents a part of the distributive share of Cook County in the aggregate of general tax collections. No entries showing either its receipt or disbursement appeared on the "collector's" books. On those records it was neither credited to the County as the distributive shares of other taxing bodies

were credited, nor was it charged to cash as the entries in the preceding table were charged, and, therefore, it is not included in those items. The sums forming this aggregate amount appeared, however, on the "treasurer's" books as charges to cash on account of general tax collections. The following table shows the amounts of these several sums and the date of entry on the "treasurer's" books:

Date	Amount
February 27, 1911.....	\$ 198,687.50
April 17	139,200.00
May 16	136,000.00
May 31	125,500.00
June 21	2,356,450.00
June 21	97,000.00
June 29	125,000.00
August 7	325,000.00
September 27	45,700.00
December 20	272.33
	<hr/>
	\$3,548,809.83

This sum of \$3,548,809.83 represents, in the aggregate, a part of the share of the County in each of a very large number of separate tax collections made from day to day, beginning about January 10. Although much of this money was in the "collector's" possession long prior to the date of the respective entries on the "treasurer's" books, these entries constituted the first *public* record of the fact that it had been received.

Cash received on account of delinquent special assessments other than those returned by the City of Chicago was entered on the "collector's" books in substantially the same manner as cash received from general tax collections. The following table shows the dates upon which the respective amounts appearing therein were charged

to the cash account, and also the periods during which the several sums were collected. As in the case of general tax collections, these charges to the cash account constituted the first *public* record of the fact that the money had been received, although in these cases the entries themselves evidence the fact that the money had been in the "collector's" possession for a considerable period.

Table Showing Amount of Special Assessment Collections (Other than City of Chicago) Received by "County Collector"; also Periods During Which the Several Amounts were Collected and the Dates when they were Entered on "Collector's" "Public" Records.

Date of Entry on "Collector's" Records	Periods During which Collections were Made	Amount
May 8, 1911....	April 1, to April 15, 1911.....	\$ 22,671.83
June 21.....	April 16, to April 30.....	64,544.46
July 12.....	May 1, to May 15.....	187,612.76
August 8.....	May 16, to May 31.....	32,371.71
August 17.....	June 1, to June 15.....	26,603.24
September 12..	June 16, to June 30.....	23,534.01
September 12..	July 1, to July 15.....	28,818.88
October 16.....	July 16, to July 31.....	39,502.98
October 21....	August 1, to August 31.....	74,002.76
November 8....	September 1, to September 30.....	46,638.63
December 14....	October 1, to December 15.....	152,063.92
	TOTAL.....	\$698,365.18

Certain other entries showing small amounts collected on account of special assessments appeared as charges to cash during the year, but they covered items of such minor importance that they have been omitted from the table.

Penalties in the form of interest at the rate of 1% a month which were collected from day to day, beginning May 2, on delinquent general taxes were not entered on the "collector's" "public" records at all. In 1911 the

amount accounted for aggregated \$113,663.24. The several sums aggregating this amount appear on the "treasurer's" books as cash received from this source on the dates shown in the following table:

Date	Amount
June 30, 1911.....	\$ 22,810.94
July 31	22,760.64
August 31	26,585.80
September 29	22,798.22
October 31	6,000.00
December 21	12,707.64
	<hr/>
	\$113,663.24

This case again illustrates how funds were collected but not put upon the "public" records from day to day in the usual course of business.

*Conditions Resulting from the Manner
in Which the Accounts Are Operated.*

The manner in which the "collector" keeps his accounts, the distinction which he makes between those records of his office which he terms "private" and those which he terms "public," and his refusal to concede the tax-paying public the right to inspect the so-called "private" records operate to bring about the following conditions:

1. For long periods after the time when the money is actually received by the "collector," the entry of the receipt of millions of dollars of public moneys collected by him each year is withheld from what he terms his "public" records. It is estimated that of the \$26,493,422.39 shown in the table on page 43, which was placed of record December 14, 1911, approximately \$23,-

000,000 was actually received prior to June 1, 1911, and that practically all of the \$2,197,347.70 of railroad taxes shown on September 15 was collected prior to May 1.

2. By withholding from the "public" records entries showing the receipt of moneys collected on account of taxes and special assessments, and at the same time by neglecting to credit the accounts of the different taxing bodies throughout the county with collections made for them, except at such widely separated dates as appear in the tables on pages 43-45, the "collector" can keep the taxing bodies in ignorance of the respective amounts to the payment of which they are, from time to time, entitled. He thus avoids making remittances to them which they might otherwise demand. This point is of special significance in view of the tardy manner in which he remits funds to all of the taxing bodies.

The entries appearing in the account of the City of Chicago for the year 1911 are shown in the following statement. They are typical of the entries in the accounts of other taxing bodies, and illustrate the manner in which the collections and disbursements made by the "collector" are entered upon the "public" records of the office. It will be noted that the \$5,586,768.35 credited to this account on March 18 was not entirely paid over to the City until April 28. Of the \$17,767,766.67 credited on December 14, the Bureau estimates that more than \$15,500,000 was actually collected prior to June 1. Because of the failure to credit the City with the latter amount until December 14, it appeared from the face of the "collector's" books that during the greater part of the year the City was heavily indebted to the "collector" for cash advanced, while the fact was that during the en-

fire time the "collector" was actually withholding from the City funds to which it was entitled.

Statement of Account of County and Town "Collector" with City of Chicago for 1911, Showing Dates and Amounts of Payments Made to City; Also Amounts Collected for City on Account of General Taxes and Dates when Same were Entered on the "Collector's" "Public" Records.

Date	Payments to City	Taxes Collected for City
February 24, 1911,	\$ 550,000.00	
March 18,	* 111,735.36	March 18, †\$ 5,586,768.35
March 24,	472,499.69	
April 18,	1,971,410.35	
April 28,	3,000,000.00	
May 16,	2,750,000.00	
May 29,	1,000,000.00	
June 19,	1,000,000.00	
June 29,	1,000,000.00	
July 17,	1,000,000.00	
July 27,	1,000,000.00	
August 17,	1,000,000.00	
August 21,	** 41,762.59	
August 28,	1,000,000.00	
September 16,	971,690.32	Sept. 15, †† 1,102,921.24
September 29,	1,250,000.00	
October 18,	1,250,000.00	
October 30,	1,250,000.00	
November 17,	1,250,000.00	November 8, ††† 83,345.04
November 28,	750,000.00	" 9, ††† 1,689.94
November 29,	1,250,000.00	" 13, ††† 1,123.73
December 16,	*** 189,568.46	December 14, †††† 17,767,766.67
December 19,	400,000.00	
December 22,	84,948.20	
	<u>\$24,543,614.97</u>	<u>\$24,543,614.97</u>

* "Town collector's" commissions.

** County Clerk's extension fees.

*** "County collector's" commissions.

† Collections made by "town collector" January 10, to March 10.

†† Railroad taxes.

††† Taxes prior years, forfeiture redemptions, etc.

†††† Collections by "county collector" March 10, to December 15.

3. By concealing his accounts with the banks and also the amount of cash received by him daily in his capacity as "collector," the County Treasurer has succeeded in

preventing not only the tax-paying public but also the County Board, which is charged with the duty of approving his accounts, from ascertaining whether or not he has accounted for all interest earned on the public funds while they are in his possession.

The important part which the practice of concealing daily cash receipts plays in preventing an effective check on interest earnings is apparent. Both the amount received and the length of time that the money is retained by the Treasurer are essential factors in computing interest. Data as to the aggregate amount received are of little or no value unless supplemented by data as to when the money was received and paid out. In this connection, attention is directed to the fact that the interest figures presented in this report are based upon *estimated* daily cash receipts. The Bureau was forced to resort to the method of estimating, described on pages 62-65, because of the refusal of the Treasurer to furnish any definite data as to when the money collected by him was received.

REMITTANCES TO TAXING BODIES.

The Revenue Act provides that every 30 days town collectors shall account for and pay over taxes collected by them.

The Revenue Act also provides that the "county collector" shall file a statement of his collections with the County Clerk, on or before April 10, of each year, and that on or before April 15, he shall pay over the amount shown in such statement. The Act provides further that the "county collector" shall report and pay over to cities and other local taxing bodies delinquent taxes and special assessments collected by him "at least once in every 10 days when demanded by the proper authorities."

The foregoing provisions of the statutes are disregarded altogether by the "county collector" of Cook County and the "town collector" of the seven Chicago towns.

The policy with respect to remitting such collections has been for the "collector" to hold the money just as long as he could safely do so, while the authorities of the several taxing bodies have "bargained" with him as best they could in order to get the funds which he was unlawfully withholding. In some cases, particularly those of the City of Chicago and the South Park Board, payments are made in accordance with a prearranged schedule. The West Park Board and the Lincoln Park Board receive their shares as their needs become urgent, while many of the smaller outlying taxing bodies receive no money at all until the date of final distribution in December.

The heavy responsibility imposed upon the Treasurer with respect to the safe keeping of funds collected by him, both as "county collector" and as "town collector," was pointed out in the previous pages of this report. The present Treasurer has repeatedly complained of the burden of this responsibility. Nevertheless, he has not taken advantage of the opportunity which he has to relieve himself of this responsibility by turning the collections over to the authorities entitled to receive them. On the other hand, he has actually increased his burden of responsibility by withholding the moneys after the taxing bodies were legally entitled to receive them.

THE AUDIT OF THE TREASURER'S ACCOUNTS.

Notwithstanding the enormous sums of public money which the Treasurer handles, there is absolutely no audit of his accounts except such as may be conducted by himself and his bondsmen.

By the terms of the statute, he is required to account to the County Board, and in a perfunctory way he does file accounts as "treasurer." He is required also to submit a statement of his accounts as "collector" to the County Board for its approval or correction.

In the face of these explicit statutory requirements, the present Treasurer has denied the County Board access to his records for the purpose of checking up his accounts and so far as the Board has attempted to discharge the duties imposed upon it, it has gone through the empty formality of approving the accounts without having examined the records from which they were made up.

The conduct of Treasurer O'Connell in refusing to permit an audit of his books by the County Board cannot be too severely condemned. The Bureau recommends that the Board insist upon its right to examine his accounts and records, and that it take steps immediately to compel him to submit all such accounts and records to a complete, thorough, and disinterested audit.

THE QUESTION OF INTEREST ON FUNDS IN THE CUSTODY OF THE COUNTY TREASURER.

Prior to the administration of John J. Hanberg as County Treasurer, which began in December, 1902, it had been the practice of the incumbents of that office to retain for their own use the interest on public funds in their custody.

At the close of each of the four years during which he held the office, Mr. Hanberg, in pursuance of certain pre-election pledges, turned into the County treasury a certain sum as interest earned on the funds in his custody during that year.

John R. Thompson, Hanberg's successor, before his election also pledged himself to turn over the interest on his bank deposits, and each year while in office made certain interest payments to the County.

In December, 1910, the present County Treasurer, William L. O'Connell, came into office, having previously made pledges similar to those made by Hanberg and Thompson, and, following the example set by them, in December, 1911, he accounted to the County for \$150,-557.39 as interest earned during the first year of his administration.

The amounts of the several interest payments made by the three treasurers above mentioned are shown in the following table:

Treasurer	Year	Amount
John J. Hanberg	1902—1903	\$ 67,402.61
“ “ “	1903—1904	73,021.77
“ “ “	1904—1905	73,138.80
“ “ “	1905—1906	88,113.33
John R. Thompson	1906—1907	123,762.84
“ “ “	1907—1908	126,837.50
“ “ “	1908—1909	117,266.91
“ “ “	1909—1910	124,227.21
William L. O'Connell	1910—1911	150,557.39

Each of these payments was made in pursuance of a campaign pledge. So far as the Bureau is advised, Mr. Hanberg did not concede the legal right of the County to the interest. Mr. Thompson denied that right and Mr. O'Connell also has denied it. The latter insists that he is under no legal obligation to pay over the interest, but is doing so because of the pledge he made when a candidate.

In each instance before turning over the money, the Treasurer has exacted from the County Board the passage of a resolution designed to protect him against contingent claims of various kinds which might arise as a result of the payments to be made.

The ostensible reason for demanding such a resolution was that it has been contended that the taxing bodies whose moneys are collected by the “town collector” and “county collector” are entitled to any interest earned on those moneys while they are in the custody of the “collector.” The Bureau does not believe that this contention is well founded.

During the Hanberg administration, these resolutions

were so framed as to protect and indemnify him only against "any loss or damage to him arising out of any lawful claim that any other municipal corporation" might "have and establish to all or any part of" the interest paid into the treasury of Cook County, and which said Hanberg might be required to pay. These resolutions, moreover, recited that they were passed in consideration of Hanberg's paying into the treasury of the County "*all interest earned and received by him on all taxes and moneys deposited by him in bank.*"

With the advent of the Thompson administration, the form of the resolution was changed. It was then so drawn as to recite that Thompson had deposited in banks all the moneys and taxes collected by him and had received *certain* earnings and interest upon such deposits; that he had offered to pay to the County "*certain moneys derived by him as such interest and earnings accruing on such deposits,*" provided he was "protected against and discharged from any and *all claims of every nature that have heretofore arisen, or may hereafter arise by virtue of, or incidental to, the payment or non-payment of said interest or earnings,* * * * or the *payment or non-payment of said interest to said Cook County or any municipality within said Cook County.*" The resolution itself ordered that the County "discharge him from any and all claim or claims" which might accrue "by reason of the *payment or non-payment of said interest or earnings* upon said moneys, as aforesaid, whether *accruing to said Cook County or to any other municipal corporation.*"

In tendering the \$150,557.39, paid to the County in 1911, Treasurer O'Connell submitted a resolution in the

form used by Mr. Thompson. This resolution was passed by the Board at the time it accepted the money tendered.

The only information which either the County Board or the public has had as to these interest payments has been and is contained in the resolutions thus passed. Each time the Treasurer has paid over a lump sum. So far as the proceedings of the Board disclose, no audit or accounting of any kind has been had. Not even the rate at which the amount turned in was computed has been disclosed.

It will be noted, however, that the Hanberg resolution was passed in consideration of the payment to the County of "*all interest earned and received*" by him, and that it indemnified him only against a *second payment* to some other municipality of interest which he had already paid to Cook County. There was no pretense of a release on account of the *non-payment* of any interest.

The Thompson resolution, on the other hand, does not purport to cover *all* interest received. It recites the receipt of *certain* interest and an offer to pay *certain* interest to the County, and in terms it releases the Treasurer from all claims which may accrue "*by reason of the payment or non-payment of said interest*" "*whether accruing to said Cook County or any other municipal corporation.*"

The question which naturally suggests itself is: The *non-payment* to Cook County of *what interest* were the Thompson and O'Connell resolutions designed to cover? Was it that *certain* interest *offered* and *paid*, or that *certain* interest *received* by the Treasurer? It does not appear from the resolution that the amount was the same

in each case. It would seem scarcely necessary for the Treasurer to obtain a release from the County on account of the *non-payment* to it of money which he *actually paid*. A second query might well be: What was the purpose of obtaining such a release? Was either of them withholding interest which he had received and to which the County was and is entitled?

MR. O'CONNELL REFUSES TO TURN OVER INTEREST EARNED IN 1912.

In January, 1913, Treasurer O'Connell tendered to the County Board \$162,212.53, as interest earned on various funds held by him during the fiscal year ending December 2, 1912. This tender was made on condition that the Board pass a resolution in the form adopted in 1911. The Finance Committee of the Board recommended the adoption of the following substitute resolution:

“Resolved, That upon the payment into the treasury of Cook County by the said William L. O'Connell, County Treasurer and ex-officio collector as aforesaid, of the aforesaid sum of \$162,212.53, being interest that came into his hands during the fiscal year ending the first Monday in December, 1912, on various funds held by him as County Collector, as aforesaid, the County of Cook do and will save and keep the said William L. O'Connell free and harmless from and against any and all claims, demands, costs and damages for which he may be or become liable to any person, corporation or municipality, by reason of the payment of said sum of money or any part thereof into the treasury of said Cook County or by reason of the non-payment of said sum of money or any part thereof to any such person, corporation or municipality; *provided, however, that this resolution shall in nowise affect any claim, aside from said sum of \$162,212.53, which the said County of Cook may have against the said William*

L. O'Connell for any interest that may have come into his hands on funds held by him as County Treasurer or ex-officio collector, as aforesaid, and provided further that this resolution shall in nowise affect the right or authority of the Board of Commissioners of Cook County or any of its committees to examine and audit or cause to be examined and audited the books, records, and accounts of said County Treasurer and ex-officio collector, as aforesaid."

Mr. O'Connell's friends on the Board prevented the adoption of the substitute resolution. At the same meeting Commissioner Burg, presumably at the instance of Mr. O'Connell, offered the following resolution, the adoption of which was prevented by those members who supported the Finance Committee's report:

"Be it Resolved and Ordered, That said William L. O'Connell, be and he hereby is authorized and directed to pay into the Treasury of said Cook County, said sum of \$162,212.53 as the interest and earnings on the several taxes and moneys collected or received by him as aforesaid, and that in consideration of his so doing, it is further

"Resolved and Ordered, That said Cook County do accept said sum and hereby discharge him from any and all claim or claims, liability or liabilities heretofore accruing at any time, or which may hereafter accrue by reason of the payment or non-payment of said interest or earnings upon said moneys, as aforesaid, whether accruing to said Cook County, or to any other municipal corporation at any time whatsoever; and it is hereby further

"Resolved, That said Cook County do hold him free and harmless from any and all such claims and all costs and damages for which he may be or become liable with reference thereto, and provided, however, that this resolution shall in nowise affect the right or authority of the Board of Commissioners of Cook County or any of its committees to exam-

ine and audit or cause to be examined and audited the books, records and accounts of said County Treasurer and ex-officio collector, as aforesaid."

The vital difference in these two resolutions is that the Burg resolution was designed to discharge the Treasurer from any and all claims which might accrue by reason of the *non-payment* to Cook County of interest earned other than the \$162,212.53 tendered, while the resolution of the Finance Committee provided that such resolution should "in nowise affect any claim, aside from said sum of \$162,212.53, which the said County of Cook may have against the said William L. O'Connell for any interest that may have come into his hands on funds held by him as County Treasurer and ex-officio collector."

In view of Mr. O'Connell's often repeated statement that he was turning over all of the interest earned on the funds held by him, his conduct in refusing to accept the indemnity offered him in the resolution of the Finance Committee is not easily explained. He still retains the \$162,212.53.

THE INVESTIGATION BY THE BUREAU.

The investigation of the Bureau into this question of interest began in November, 1911, when Treasurer O'Connell turned his "public" records over to its accountants for examination.

At the outset, Mr. O'Connell stated that he kept no books or records showing either his interest or deposit accounts with the banks. He refused also to supply any information as to the basis upon which the interest turned over to the County in 1911, amounting to \$150,-

557.39, was computed. There seemed to be no probability, therefore, that the exact amount of interest which the funds in his hands had actually earned could be ascertained, since the length of time that money is permitted to remain in the custody of the banks, as well as other conditions of deposit, influence them in making interest rates.

In general it may be said, however, that public bodies having funds on deposit in Chicago banks receive interest at a rate varying from 2 per cent to 3 per cent, depending on the length of time for which the deposits are made. The City of Chicago receives a flat rate of $2\frac{1}{4}$ per cent, computed and paid monthly, on its average daily balances in all funds. It was apparent, therefore, that if the accountants of the Bureau could ascertain the amounts of the Treasurer's daily cash balances for the fiscal year ended December 3, 1911, there would be little difficulty in determining whether or not he had accounted for as much interest as the funds in his custody might reasonably have been expected to earn. On the other hand, without some method of determining or approximately estimating these balances, there seemed to be no way in which the interest figures of the Treasurer could be checked.

No difficulties were encountered in computing these balances so far as the "treasurer's" accounts described on page 33 were concerned.

When, however, an attempt was made to compute these balances with respect to the funds handled by the "collector," the situation set forth on pages 42-46 was met with. The entries which should have shown the receipt of cash from day to day were not on the "public" records. On the other hand, it was known that the "tell-

ers' daily cash collection sheets" and the "auditor's ledgers," described on pages 39-40, would disclose all the data which it was necessary to have in order to make the desired computation, and the Treasurer was appealed to to permit an examination of these so-called "private" records. This permission was denied and, for the time being, the inquiry had to be abandoned for lack of material upon which to work.

Before the matter was dropped even temporarily, however, copies were made of his ledger accounts and such data as the accountants considered important were taken from the cash book and journal.

Several months afterwards one of the investigators of the Bureau, working in the auditor's division of the Treasurer's office, had occasion to draw off from one of the records of that division a statement showing the total number of tax and special assessment bills upon which collections had been made each day throughout the year 1911.

Meanwhile, the Bureau accountants had been seeking some way to ascertain those items of the "collector's" daily cash receipts which did not appear upon his "public" records. Receipts derived from two important sources were necessarily involved in any such estimates,—namely, (1) general tax collections made up of voluntary tax payments and the proceeds of tax sales, and (2) special assessments other than those returned by the City of Chicago. The chief difficulty which the accountants had experienced, however, had been in attempting to establish a basis for estimating the receipts from voluntary tax payments. The discovery in the auditor's division of the record mentioned above proved a practical solution of this problem.

PROCEDURE EMPLOYED IN ESTIMATING CASH RECEIPTS.

The following procedure was employed in estimating the cash receipts in question:

1. As a preliminary step, the total collections accounted for by the "collector" on account of general taxes were segregated into

- (a) Receipts from voluntary payments;
- (b) Proceeds of tax sales.

This segregation was effected by tabulating the amount derived from each tax sale for the year 1911, as shown on the tax sale records in the County Clerk's office, and then deducting the aggregate amount from the collections reported. This task involved the tabulation of approximately 15,800 separate items. The table was so made as to show the separate and aggregate amounts of each day's sales.

2. No information could be obtained as to the length of time which elapsed *in 1911* between the date when property was sold at the tax sale and the date when the tax buyer paid the amount of the sale to the "collector," but an examination of the records kept by the County Clerk *in 1912* showed that in that year a period of about 30 days usually elapsed between such dates. Therefore, a date 30 days later than the date of sale was selected by the accountants of the Bureau as the date upon which to charge the "collector's" cash with the aggregate amount of each day's sales in 1911.

3. In order to compute the average amount of each general tax bill in the manner hereinafter described, it was necessary to know the total number of general tax bills issued each day. These totals were shown on the record heretofore mentioned on page 61, which was

found in the auditor's division. The statement originally drawn off from that record by the Bureau investigator had been prepared for another purpose, however, and showed only the grand total each day of both general tax and special assessment bills. The Bureau, therefore, sought a second opportunity to examine the record in question for the purpose of drawing off the number of general tax bills only. Permission to make this second examination was at first granted, but when the work was partially completed this permission was withdrawn and the member of the Bureau staff doing the work was ordered from the office. The work was then completed by drawing off the necessary data from the records in the custody of the County Clerk. To do this it was necessary to tabulate the number of special assessment payments made each day, and then to deduct each day's total from the grand total of bills for each day shown on the auditor's record. This operation involved the tabulation of about 35,000 separate items and required the services of four men for a period of about ten days. If the permission at first granted, and then withdrawn, to examine the record in the auditor's division, had not been withdrawn, one man could have obtained from that record, in three or four hours, all of the information subsequently secured through tabulating the data shown on the tax records.

Attention is directed to the foregoing incident and also to the work involved in tabulating the tax sale figures described on page 62 and to the task of estimating each day's receipts described on page 64, as illustrating the burden imposed upon the Bureau by the refusal of the Treasurer to permit an inspection of the "tellers' daily cash collection sheets" and the "auditor's ledgers." One

man working from these records could have obtained in a few hours all of the data which the Bureau finally compiled as a result of the very laborious operations mentioned. These operations illustrate even more forcibly, however, the almost insurmountable difficulties met with by citizens and taxpayers seeking information concerning the financial transactions of the Treasurer's office and the manner in which he handles public funds—difficulties which are caused almost entirely by the policy of secrecy which surrounds the administration of the office and the refusal to permit an examination under reasonable restrictions of those records of the office which the Treasurer terms "private" records, but which are kept by public employes at public expense.

4. The total amount of general tax collections received from voluntary payments was divided into

(a) Collections received as "town collector";

(b) Collections received as "county collector."

The total amount received by the "town collector" was then divided by the total number of receipted bills issued during the time collections were being made by the "town collector." The same procedure was then followed with respect to the amount received and the number of bills issued by the "county collector." The purpose of these operations was to fix an average amount for each bill issued during the respective periods. To estimate the total amount collected *each day* during these periods, the average amount per bill, as determined above, was then multiplied by the number of bills issued each day. These several amounts thus estimated as having been collected each day were then set up in the "collector's" cash account as money received by him from day to day throughout the respective periods.

For the purpose of determining how nearly the foregoing estimates approximated the amount actually collected from day to day, a test was made on 12 of the general tax warrant books which had been returned to the County Clerk. The collections entered on these books were tabulated so as to show the amount of money received each day. These figures were then compared with the estimates set up by the Bureau. In every instance it was found that the actual collections from day to day, as shown on the test books, were proportionately greater than the estimates of the Bureau. This, of course, means that more money than the Bureau estimates would indicate was actually received by the "collector" during the early part of the collection period. If the figures on the Treasurer's so-called "private" records could be examined, they would probably show that the interest earnings should have been even greater than the \$281,526.18, the amount computed by the Bureau on page 66.

5. The amounts collected on account of delinquent special assessments, other than those received by the City of Chicago, as shown in the table on page 45, were set up in the "collector's" cash account as money received by him on the last day of the respective periods during which the "collector's" books showed the money was received by him. The smaller items of special assessment receipts mentioned on page 45, but not shown in the table, were set up in the cash account as money received on the days when the entries were made in the "public" records.

After the foregoing estimates and adjustments had been made with respect to general tax and special assessment receipts, the "collector's" cash balance at the close

of each business day throughout the year was computed on the basis of the estimated and adjusted entries made in the cash account.

THE INTEREST COMPUTATIONS OF THE BUREAU.

These daily cash balances of the "collector" were then combined with the daily balances shown on the "treasurer's" books. The average daily combined balance for each month of the year was then determined, and compound interest was computed on these average balances at the rate of $2\frac{1}{4}$ per cent per year. This is the method and the rate used by the banks and the City of Chicago in computing interest on the City's deposits. The Bureau regards a rate of interest of $2\frac{1}{4}$ per cent as conservative, inasmuch as by withholding remittances from the City and other taxing bodies the Treasurer was apparently able to maintain a balance of \$10,000,000 or more continuously for a period of more than six months.

The aggregate amount produced by these computations was \$281,526.18, or \$130,968.79 more than the Treasurer paid over to the County.

It is quite probable, however, that Treasurer O'Connell should have received and turned over to the County even more than \$281,526.18 as interest earned on his bank deposits during 1911. During that year he paid over to the County only \$113,663.24 on account of penalties collected by him on delinquent taxes. If \$113,663.24 is all he received in fact from this source, then he must have collected prior to May 2 more than the amounts which the Bureau has estimated he collected up to that date. The interest, therefore, which he should have received from his general balances should have been even

greater than \$281,526.18, the amount estimated by the Bureau. If he collected prior to May 2 only the amounts which the Bureau has estimated from the records available to it, then he must have received as penalties for delinquency more than \$113,663.24. One of these alternatives is irresistible. The Bureau believes that the correct conclusion is that he has not accounted by even more than \$130,000 for all of the interest on general balances which he did receive or could have received and, in the full discharge of his duty to the public, he should have received and paid over to the County.

The amount of money handled by the Treasurer during the year 1912 was presumably greater than that handled by him in 1911. Notwithstanding this, he tendered to the County Board only \$162,212.53 at the close of 1912.

The Bureau recommends to the County Board that it demand from Treasurer O'Connell a full and complete accounting in the matter of interest on bank deposits and all other fees, perquisites, and emoluments of his office and that, in case of his failure to make such an accounting, the Board institute legal proceedings, not only to compel him to render an account, but to recover such interest or other fees, perquisites, and emoluments, if any, as he may have failed to pay over to Cook County.

ADMINISTRATION
OF THE OFFICE OF
CORONER *of* COOK COUNTY
ILLINOIS

REPORT PREPARED FOR THE
JUDGES OF THE CIRCUIT COURT
BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY

DECEMBER, 1911

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315 PLYMOUTH COURT

CHICAGO BUREAU OF PUBLIC EFFICIENCY

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TABLE OF CONTENTS.

LETTER OF TRANSMITTAL	5
SUMMARY AND CONCLUSIONS	7
I. Receipts and Expenses	7
II. Professional Jurors	7
III. Jurors' Fees	9
IV. Unofficial Clerks	10
V. Coroner Uses Stenographic Reports of Testimony Fur- nished by Public Service Corporations.....	10
VI. Use of Passes by Attaches of the Coroner's Office.....	12
VII. Records	12
VIII. The Coroner Ought Not to Be Elective.....	14
IX. The Coroner's Staff	14
TEXT OF REPORT	17
Chief Functions of the Coroner.....	17
Organization of the Coroner's Office.....	18
1. Deputy Coroners	19
2. Coroner's Physicians	20
3. Clerks in the Coroner's Office and at the County Morgue.	22
4. Reporters and Typists	23
5. Deputy Coroners' Clerks	24
Receipts and Expenses of the Coroner's Office.....	26
1. Receipts	26
2. Expenses	28
Inquest Fees	29
Handling of Estates	30
1. Statutory Requirements	30
2. Receipt and Custody of Estates.....	30
3. Disposition of Estates	32
Method of Selecting Jurors.....	35
1. Statutory Provisions	35
2. Selection of Jurors by Deputy at Morgue.....	35
3. Selection of Jurors by Outside Deputy Coroners.....	39

Jurors' Fees	41
1. Statutory Provisions	41
2. Method of Payment	41
3. Traffic in Coroner's Certificates.....	42
Stenographic Reports of Testimony Taken at Inquests.....	46
1. Use of Transcripts Furnished by Public Service Cor- porations	46
2. Cases Which Should Be Covered by Coroner's Reporters..	49
3. Number of Reporters Necessary.....	50
4. Recommendations	52
Records and Forms	52
1. Financial	52
2. Statistical	55
Preservation of Evidence in Murder Cases.....	58
Issuing of Death Certificates by Coroner's Physicians.....	60
APPENDIX	64
Tables—	
I. Possible Saving in Cost of Inquests at Morgue.....	64
II. Number of Times Deputy Coroner's Unofficial Clerks Served on Juries	65
III. Number and Most Important Classes of Cases Handled by the Coroner, and Number Covered by Coroner's Reporters	66
IV. Classes of Cases Which Should Be Covered by Coroner's Reporters	67
Chart—	
Organization Chart, Showing Lines of Authority and Monthly Rates of Salary.	

LETTER OF TRANSMITTAL.

*To the Honorable Judges
of the Circuit Court of Cook County.*

GENTLEMEN :

The Chicago Bureau of Public Efficiency respectfully submits herewith a report upon the office of Coroner of Cook County, which report has been prepared in accordance with your formal action taken at a meeting held February 27th last, of which action the Bureau was advised by Judge Jesse A. Baldwin, as secretary of the judges, in a letter bearing date of March 3, 1911.

Respectfully submitted,

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HERBERT R. SANDS,

Director.

Chicago, December, 1911.

SUMMARY AND CONCLUSIONS.

I. RECEIPTS AND EXPENSES.

The receipts of the Coroner's office from all sources for the fiscal year 1910 were only \$3,853.42. For certified copies, \$2,903.10 was collected; and for serving writs and witness fees, \$170.32. The inquest fees collected amounted to only \$780. The number of inquests held in 1910 was 4,895. Fees were reported collected in only 130 cases, or 2.7 per cent of the total. The fees, which are \$6, are supposed to be collected from the estate of the deceased. The amount of uncollected inquest fees for the year 1910 was \$28,590.

The Coroner recommends that the law for the collection of inquest fees from the estates of deceased persons be repealed. The Bureau concurs in this recommendation.

The cost of administering the Coroner's office for the fiscal year 1910 was \$78,764.20, which is \$74,910.78 in excess of the fees collected.

II. PROFESSIONAL JURORS.

One of the worst abuses in connection with the Coroner's office is the "professional" jury system. In practically all of the inquests held at the county morgue, numbering about 1,000 annually, "professionals" constitute the juries. There are 14 "professional" jurors who do the jury service on all but a very small percentage of the cases. Seven of the fourteen have served on juries at the morgue continuously since 1907 and some of the seven even longer. These "professional" jurors serve on murder and personal injury cases. Of six homicide cases at the morgue

in March last, the juries in four were composed of "professionals." During the same month there were six personal injury cases, in which the deaths were due to street car and railroad accidents. The jurors in all six cases were "professionals." Not only would better results be secured, but the county would effect an annual saving of between \$2,500 and \$3,000 if the practice were adopted of impaneling Coroner's juries for service at the morgue for one or two week periods, at the rate of \$2.10 a day for each juror, as is done at the detention hospital. As a means of keeping out "professionals," jurors might be made ineligible for more than two weeks of service in a year. The general assembly should be asked for such legislation, if any, as may be necessary to this end.

A large percentage of the jurors in inquest cases held at other places than the morgue are also "professionals," many of whom go to the places of inquest on notification from the deputy coroner or his "clerk."

The sense of justice is outraged at the idea of having verdicts in murder, personal injury and other important cases returned by "professional" jurors, whose conditions of employment naturally make them subservient to the deputy coroner. In personal injury cases the proper bringing out of the facts at the inquest, and the verdict of the Coroner's jury, may have much to do with enabling heirs to collect damages for the killing of their bread-winners.

As a means of stamping out this practice, the Bureau recommends that no person be eligible for service on a Coroner's jury in inquests held outside the morgue more than once in any one month. Deputy coroners should be instructed to ascertain whether jurors have served previously the same month before accepting them.

III. JURORS' FEES.

In payment for their services, jurors receive Coroner's certificates issued by deputy coroners at the close of inquests. The fee is \$1 per day of service. When a juror serves on more than one case in the same day under the practice in vogue he is given a voucher for \$1 for each case. These certificates are payable by the county treasurer when approved by the county comptroller. In their present form they are not negotiable, so that the holder desiring to cash a certificate ordinarily is obliged to make a trip to the County Building. It is customary for the unofficial "clerks" representing the deputy coroners to purchase these jurors' certificates at the close of inquests at the rate of 50 cents on the dollar. So extensive is this practice, which is of long standing, that practically all jurors' certificates are handled in this manner. "Professional" jurors are expected, as a condition of their selection for jury service, to sell their certificates to representatives of the deputy coroners. Undertakers and their helpers, who frequently serve on Coroner's juries, turn over their certificates without pay to the "clerks" of the deputy coroners. The amount paid out by the county for Coroner's jurors' fees for the fiscal year 1910 was \$34,474. It is fair to estimate that under the methods prevailing over half of this sum, or between \$15,000 and \$20,000, represents the profits of the deputy coroners and those associated with them in the discounting operations. The net income from this source of the deputy coroner at the morgue is supposed to be about \$1,500 a year; of the other ten deputies, \$1,000 a year each.

This practice of trafficking in jurors' certificates by persons connected with the Coroner's office is reprehensible and should be stamped out.

The Bureau recommends: (1) That approval of the county comptroller as a condition precedent to payment by the county treasurer be dispensed with and that the form of these certificates

be so changed that they will be accepted by banks the same as checks; (2) that employes or others connected directly or indirectly with the Coroner's office be prohibited from discounting these certificates. Permitting or condoning the practice hereafter by deputy coroners should be made cause for dismissal from the service.

IV. UNOFFICIAL CLERKS.

Each of the ten deputy coroners regularly assigned to outside work has a private clerk. These clerks are not paid by the county and have no official status. They are the personal selections of the deputies. They render various unimportant services of a clerical nature.

The clerk serves as a member of the Coroner's jury in most cases, for which he receives the legal fee of \$1. He ordinarily buys at 50 cents on the dollar the certificates of the other five jurors, netting \$2.50. A deputy sometimes holds several inquests a day. It is generally understood that the clerk turns over the earnings from this source to the deputy who engages him.

The practice of allowing deputies to employ unofficial personal "clerks," though of long standing in the Coroner's office, is reprehensible and should be broken up. If there is need for clerks, they should be regularly authorized and placed on the payroll of the county. The Bureau does not believe that they are necessary.

V. CORONER USES STENOGRAPHIC REPORTS OF TESTIMONY FURNISHED BY PUBLIC SERVICE CORPORATIONS.

The present Coroner is to be commended for installing the system of shorthand reporting of important inquest cases, and for introducing phonographs and typewriting machines. There is ground for serious complaint, however, because in many cases transcripts of testimony are supplied for the Coroner's files by stenographers in the employ of public service corporations, that are parties in interest.

Under the old system, deputy coroners took the gist of testimony in longhand, read it back to the witness, and had him sign it. This custom still prevails in connection with inquests to which reporters are not assigned. In 1907 an act was passed by the legislature under which the Coroner may have testimony taken by a shorthand reporter, and the transcript filed with the inquest papers as the official record of the testimony. In asking the judges for an additional shorthand reporter and an additional typist for 1911, which request was granted, the Coroner pointed out that he was unable to have the testimony in all personal injury cases taken in shorthand. In these cases, the Coroner said, the corporation would be represented not only by a court reporter but by a lawyer.

Notwithstanding the addition to the reporting force for 1911, the practice of accepting for the Coroner's files transcripts of testimony furnished by interested corporations, which the Coroner himself deprecated, has been continued. While the Coroner based his request for an additional reporter and an additional typist on his wish to avoid taking the transcripts furnished by interested corporations in personal injury cases, an examination of the records shows that reporters were assigned to ordinary accident cases, while personal injury cases affecting public service corporations were left uncovered. Out of 253 inquests affecting transportation companies held during the six-month period ending August 31, 1911, only 92, or 36 per cent., were covered by Coroner's reporters. For certain companies—Chicago City Railway; Chicago Railways; Chicago and Northwestern Railway; and Chicago, Milwaukee and St. Paul Railway—the percentage of cases covered by Coroner's reporters was even smaller. There appears to be an understanding that these four companies will furnish copies of testimony taken by their reporters in any cases to which Coroner's reporters are not assigned. The Coroner states that the consent of both parties is obtained before the transcript of a corporation reporter is accepted.

It is the opinion of the Bureau that no transcripts of testimony should be admitted to the files of the Coroner's office except those taken by reporters representing the Coroner. When no reporters can be assigned, resort should be had to the old system of longhand reporting. However, provision should be made for a reporting staff sufficient to enable the Coroner to have all important inquests, especially those involving murder and personal injury cases, covered by shorthand reporters. To that end, the Bureau recommends the employment of another reporter for the coming year, thus making the force consist of four reporters and three typists. Suggestions for the more economical utilization of the reporting force are offered in the text of this report which it is believed will make the number recommended sufficient for the purpose. If further experience shall demonstrate the need for more reporters and typists, in order to insure the proper reporting of all important inquests, other additions to the reporting force should be authorized.

VI. USE OF PASSES BY ATTACHES OF THE CORONER'S OFFICE.

The Bureau believes that the use by employes of the Coroner's office of free transportation furnished by public service corporations is common, but it has been unable to get the precise facts on the subject. It suggests that those responsible for the official supervision of the Coroner's office use their authority to bring out all the facts, to the end that the practice of using passes, if shown to exist, may be stopped.

VII. RECORDS.

The present head of the Coroner's office has made many improvements in records and forms, the most important being the statistical record, which shows the number of inquests held during the month or year, and the causes of death in the various classes of cases. It also shows, among other things, the number of

deaths resulting from industrial and transportation accidents, homicides and suicides and the age, sex, social condition and color. A report embodying practically all the information contained in this record is made up annually for the county board. An annual report covering financial as well as statistical information should be prepared by the Coroner, for the publication of which in pamphlet form provision should be made by the county board.

The present Coroner is deserving of credit for the installation of a system for keeping records of facts and for filing evidence, such as bullets, in connection with murder cases. He has provided printed manikins upon which Coroner's physicians mark the location of wounds, in cases of bullet wounds the points of entry and exit being shown.

A fundamental weakness in the operation of this system is that the Coroner's physicians do not always turn in promptly such evidence as bullets taken from bodies. In fact, evidence usually comes in covering several cases at a time and sometimes two weeks after the holding of autopsies. It is recommended that Coroner's physicians be required to turn in evidence in murder cases to the Coroner's office not later than the day following the autopsy.

On account of the lack of a comprehensive reference index, the files of the Coroner's office are not readily accessible, except for cases in which the approximate date of the death is known. A card index file should be installed.

The Coroner's physician at the morgue, Dr. Le Count, has developed for his own use a system of keeping records of post-mortem examinations that reflects credit upon himself and the office to which he is attached. This physician dictates to a stenographer as he proceeds, describing his operations on the body and just what he finds. The transcribed notes are available for use later when testimony may be required at a criminal trial or

for other purposes. Incidentally, accumulated records of this kind will have much value for the medical profession. The physician of course cannot make notes himself while engaged in the act of performing an autopsy, and after the operation is over many important details will have slipped from the mind. Dr. Le Count employs on the piece basis such stenographic assistance as he has had up to date.

In certain classes of cases Coroner's physicians, after inquiry, issue death certificates without inquests. There is nothing which shows the extent and thoroughness of the physician's investigation, the number, names and addresses of the witnesses interrogated and the facts brought out on which the findings were based and the action in dispensing with the inquest justified. When Dr. Hektoen was Coroner's physician, from 1890 to 1894, an "investigation record" was kept giving facts of this nature, but it has been discontinued. The keeping of records of this kind should be resumed.

VIII. THE CORONER OUGHT NOT TO BE ELECTIVE.

The Coroner ought not to be an elective official. Some cities have done away with coroners and coroner's juries and have made provision instead for preliminary investigation by medical inspectors of the classes of cases now handled by the coroner.

IX. THE CORONER'S STAFF.

The staff of the Coroner of Cook County for the year 1911 numbered 26, classified as follows: 1 chief deputy coroner; 11 deputy coroners; 3 coroner's physicians; 5 clerks; a stenographic force consisting of 3 reporters and 3 typists. In accordance with the new civil service law that became operative July 1st last, these employes are all included within the classified service, with the exception of the chief deputy coroner, chief physician, and one clerk, who acts as private secretary to the Coroner. In addition,

a night watchman and a janitor, carried on the payroll of the county hospital, are assigned to duty at the morgue and work under the direction of the Coroner. Three policemen are assigned by the city to the service of the Coroner, without charge to the county.

In the absence of service records showing the amount of work performed by each deputy coroner, it is impossible to tell whether or not a smaller number of deputies would suffice, although the fact that for 17 months prior to June, 1911, when one deputy was incapacitated for holding inquests, 10 deputies did the work indicates that the present number is too large. Daily time reports and service records should be required, so that at the end of another year the authorizing and appropriating bodies may have a better understanding of the needs of the office. The Bureau recommends that another reporter be added to the stenographic force for reporting inquests. In another part of this report it is recommended that the ten unofficial "clerks" be dispensed with.

ADMINISTRATION

OF THE OFFICE OF

CORONER OF COOK COUNTY.

CHIEF FUNCTIONS OF THE CORONER.

The Coroner is elected by the people for a term of four years and receives an annual salary of \$5,000. He is commissioned by the governor upon the certification of the county clerk of his election, filing of bond and taking the oath of office. He is required to give bond in the sum of \$15,000. Under the provisions of an act passed by the general assembly in 1909, coroners hereafter elected will receive \$9,000 a year.

The most important function of the Coroner is to hold inquests over the bodies of persons supposed to have come to their deaths by violence, casualty, or any undue means, for the purpose of inquiring into the cause and manner of death.

The following extracts from the revised statutes of Illinois define the principal powers and duties of the Coroner:

Conservator of the Peace. "Each Coroner shall be conservator of the peace in his county, and, in the performance of his duties as such, shall have the same powers as the sheriff." Ch. 31, Sec. 6.

When Acts as Sheriff. "When it appears from the papers in a case that the sheriff or his deputy is a party thereto, or from affidavit filed that he is interested therein, or is of kin, or partial to or prejudiced against either party, the summons, execution, or other process may be directed to the coroner, who shall perform all the duties in relation thereto, and attend to the suit in like manner as if he were sheriff; and the interests, consanguinity, partiality, or prejudice of the sheriff shall not be cause for a change of venue."

"Where the office of the sheriff is vacant, the Coroner of the county shall perform all the duties required by law to be performed by the sheriff, and have the same powers, and be liable to the same penalties and proceedings, as if he were sheriff, until another sheriff is elected or appointed and qualified." Ch. 31, Secs. 7 and 9.

To Take Charge of Body—Jury. "Every Coroner, whenever and as soon as he knows or is informed that the dead body of any person is found or lying within his county, supposed to have come to his or her death by violence, casualty, or any undue means, he shall repair to the place where the dead body is and take charge of the same and forthwith summon a jury of six good and lawful men of the neighborhood where the body is found or lying, to assemble at the place where the body is, at such time as he shall direct, and upon view of the body to inquire into the cause and manner of the death." Ch. 31, Sec. 10.

Inquest Record Must Be Kept. "Every Coroner shall, at the expense of the county, be supplied with proper record books, wherein he shall enter the name, if known, of each person upon whose body an inquest shall be held, together with the names of the jurors comprising the jury, the names, residences and occupations of the witnesses who are sworn and examined, and the verdict of the jury; in case the name of the person deceased is not known, the Coroner shall make out a description of said person, and enter the same upon the record book to be so kept by him, together with all such facts and circumstances attending the death which may be known and which may lead to the identification of the person; and shall carefully take an inventory of said person's personal effects and property of every kind and nature whatever, and state on his records what has been done with the same, and where the proceeds of any such property and the money and papers, if any, are deposited." Ch. 31, Sec. 19.

Disposition of Property. "When any valuable personal property, money or papers are found upon or near the body upon which an inquest is held, the Coroner shall take charge of the same and deliver the same to those entitled to its care or possession; but if not claimed, or if the same shall be necessary to defray the expenses of the burial, the Coroner shall, after giving ten days' notice of the time and place of sale, sell such property, and after deducting Coroner's fees and funeral expenses, deposit the proceeds thereof, and the money and papers so found, with the county treasurer, taking his receipt therefor, there to remain subject to the order of the legal representatives of the deceased if claimed within five years thereafter, or if not claimed within that time, to vest in the county." Ch. 31, Sec. 20.

ORGANIZATION OF THE CORONER'S OFFICE.

The number of employes fixed by the judges of the circuit court to assist the Coroner in the conduct of his office for the year 1911 is 26. This staff consists of 1 chief deputy coroner, 11 deputy coroners, 3 physicians, 5 clerks, and a stenographic force consisting of 3 reporters and 3 typists. In accordance with a law passed by the last general assembly, which went into effect July 1, 1911, all of these employes are now under civil service, with the exception of the chief deputy coroner, chief physician, and one clerk who acts as private secretary to the Coroner.

In addition to the above, there are three policemen assigned by the city police department to work under instructions of the Coroner. They are paid by the city and receive no compensation from the county. There are also two men, viz., a night watchman and a janitor, assigned to duty at the county morgue by the Cook County Hospital who work under the direction of the Coroner. They are on the hospital payroll and receive no compensation through the Coroner's office. These are all the employes working under the supervision of the Coroner who receive a stipulated salary which is paid either by the county or city. However, each of the ten deputy coroners regularly assigned to outside work (which includes all except the chief deputy and the deputy stationed at the morgue) has a private clerk. These ten clerks have no official status. They are compensated in a manner hereinafter explained.

For more detailed information in regard to the organization of the staff, lines of authority, and salaries of the various employes, attention is directed to the organization chart appearing in the appendix to this report.

The different classes of employes will now be taken up seriatim, in the order previously enumerated.

1. DEPUTY CORONERS.

Prior to July 1, 1911, when the new county civil service law went into effect, deputy coroners were appointed by the Coroner. With the exception of the chief deputy, they are all now under civil service. The number of deputies is determined by the judges of the circuit court. Their compensation, however, is fixed by the county board.

Besides the chief deputy coroner, whose salary is \$3,000, there are eleven deputy coroners who receive an annual salary of \$1,500 each. The chief deputy has charge of the office and of the routing of the other deputies. The only duties of

the eleven deputy coroners are to hold inquests and to receive personal property found on the bodies of deceased persons. One deputy is assigned to duty continuously at the Cook county morgue; the remaining ten work out of the Coroner's office, receiving their assignments daily from the chief deputy coroner.

The only information obtainable in the Coroner's office which would indicate the amount of work performed by the deputy coroners is the "daily and monthly record of the number of inquests to which deputy coroners are assigned." Deputy coroners are not required to make daily time reports showing time worked and record of work performed. In the absence of such records from which to determine the average time consumed in holding inquests, it is impossible to ascertain whether the number of deputies is larger than necessary.

The records, however, show that from January, 1910, until June, 1911—a period of 17 months—the work was performed by 10 deputies. There were 11 on the payroll as at present, but one was incapacitated for the work of holding inquests and was assigned to duty in the office.

Out of the deputy coroner's monthly salary of \$125, he is supposed to pay his traveling expenses to and from inquests, which amount to between \$10 and \$15 per month, and he is compelled to give a bond of \$15,000, which costs about \$3 per month. If he did not accept transportation from public service corporations, he would net out of his salary only about \$110 per month.

2. CORONER'S PHYSICIANS.

There are three physicians connected with the Coroner's office. The chief physician is appointed by the Coroner and receives a salary of \$2,500. Two are under civil service. Each receives a salary of \$2,100. Their principal duty is to make post mortem examinations in cases to which they have

been assigned by the Coroner or his chief deputy. Physicians are assigned to all murder, suicide, and drowning cases, to accident cases where death ensues immediately, to cases where there are suspicious circumstances surrounding the death and to cases of sudden death where no physician had been in attendance within 48 hours prior to death.

The territory of the county is divided into two districts; one covering the territory on the north and west sides of the city (the Chicago river being the boundary line) and country towns adjacent; the other covering the territory south and east of the Chicago river, and country towns adjacent. The chief physician is the chief medical advisor to the Coroner and is assigned to the territory in the north and west divisions. He makes his headquarters at the county morgue where he has an office. Another physician is assigned to the district south and east of the Chicago river. The third is assigned to duty at the county morgue.

A physician precedes the deputy, makes his findings, and leaves a "statement of post mortem findings" in a sealed envelope with the undertaker or person who has charge of the body, who gives it to the deputy coroner when he arrives to hold the inquest. Each physician is on duty, i. e., subject to call, every third Sunday to handle cases of sudden death where it is desired to ship the body at once. Thus there is one physician on duty each Sunday. The territory on Sunday covers the entire county. In Sunday cases the physician has power, on instruction of the Coroner or his chief deputy, to impanel a jury. After making the post mortem examination, he has authority to issue a certificate "inquest pending," upon receipt of which the health department will issue a permit giving authority to ship the body. Physicians have no authority to hold inquests. They are held later by deputy coroners. One of the most important powers delegated to the physicians is that of dispensing with inquests in certain classes

of cases and issuing death certificates based upon their personal investigation. This subject will be discussed later under the head of "Issuing of Death Certificates by Coroner's Physicians."

In regard to the volume of work performed by the physicians, the same problems are presented as in the case of deputy coroners. While a record is kept which shows the number of post mortem examinations made and certificates of death issued by each physician monthly, they are not required to make daily time reports showing the time actually spent in the service of the Coroner. In the absence of such records there is no means of determining definitely how much time they devote to the service of the county. The two physicians who do outside work, however, are supposed to give their entire time to the work of the Coroner. We are informed that their private practice is small and that they do not permit it to interfere with their services to the county. The physician who is stationed at the county morgue, however, spends an average of only about four hours per day in the service of the county. This is in accordance with an agreement entered into with the Coroner prior to his acceptance of the position. His daily work is completed when he makes the post mortem examinations of morgue cases and records his findings. He is subject to call, however, every third Sunday. This physician is a professor of pathology in a large medical college, stands high in the profession and is a recognized expert pathologist. If he were required to give his entire time to the work of the Coroner, his services would not be available.

The traveling expenses of Coroner's physicians are not paid by the county.

3. CLERKS IN THE CORONER'S OFFICE AND AT THE COUNTY MORGUE.

There are three clerks who work in the Coroner's office. Their titles and duties are as follows:

Clerk and Stenographer: This clerk is the Coroner's confidential clerk or secretary. He also makes out certified copies, keeps the statistical record, and assists the chief deputy in various ways.

Record Clerk: The record clerk keeps the inquest record, and receives estates of deceased persons when turned in by the deputies.

Vault Clerk: The vault clerk looks after the vaults and also acts as a messenger.

There are two clerks on the Coroner's payroll who work at the Cook county morgue. Their titles and duties are as follows:

Morgue Clerk: The morgue clerk assists the deputy coroner in the preparation of inquest papers, and keeps the "verdict" book and the morgue "unknown record."

Morguekeeper: The morguekeeper is the actual custodian of bodies brought to the morgue. He also keeps the "morgue record," which contains a record of all bodies brought to the morgue and shows what disposition is made of them.

All the clerks, with the exception of the clerk and stenographer, are under civil service. The clerk and stenographer and the record clerk—the only clerks who handle money—are bonded in the sum of \$3,000 each. The salary of the clerk and stenographer is \$1,200; that of the other clerks, \$1,000 each.

While the clerks are not overworked, it seems necessary to have a man in each of these positions.

4. REPORTERS AND TYPISTS.

The reporting staff in the Coroner's office consists of three reporters and three typists. The salary of a reporter is \$1,800; of a typist, \$1,200. Reporters are assigned to cases where it is desired to have a verbatim report of testimony taken at

inquests. Such cases are those where the Coroner has reason to think there may be a criminal or civil liability, and therefore include murder and personal injury cases. Assignments are made by the chief deputy coroner.

The reporters and typists work in pairs, each reporter having a typist assigned to him to transcribe the testimony in cases which he has covered. The reporter, after taking the testimony in shorthand at the inquest, returns to the Coroner's office and dictates his notes into a phonograph. His typist transcribes the testimony from the phonographic record. The reporters average between 30 and 35 cases per month, and the typists average from 5 to 9 pages per hour, based on a 5-hour working day.

Neither the reporters nor typists are required to make daily time reports showing the time actually spent in the performance of their duties. It is probable that, if the respective typists were not limited in their work to writing up the cases of any one reporter two typists would be sufficient to transcribe the work of the three reporters. If the number of reporters is not to be increased, it would seem that one of the typists might be transferred to some other department in the county service.

It is the opinion of the Bureau that the present reporting staff should be increased. This phase of the subject, however, is hereafter discussed in this report under the head "Stenographic Reports of Testimony Taken at Inquests."

5. DEPUTY CORONERS' CLERKS.

As previously stated, each of the ten deputy coroners regularly assigned to outside work has a private clerk. These clerks have no official status. They are employed by the deputies and the amount of their compensation and the methods of securing it depend upon their personal agreements with the

deputies. Their duties are in general the same, but vary in details to conform with the wishes of the individual deputies.

The clerk carries the deputy's bag, containing blank inquest forms, to and from inquests. He usually precedes the deputy to the place where the inquest is to be held and secures the jury, so that upon the arrival of the deputy the inquest can proceed without delay. He sits at the table with the deputy and assists him in filling out the various inquest forms, such as the jury list, Coroner's certificates, witness blank, certificate of death, and in some instances he makes notes of the testimony on statement blanks.

The two most important duties of the clerk, however, are to serve on the jury and to buy the Coroner's certificates (jurors' pay vouchers) of the remaining five jurors. The pay of a Coroner's juror is \$1. We are informed that the maximum amount paid the jurors by the clerks for their certificates is 50 cents on the dollar and the clerks succeed in buying practically all of the certificates. The net income, therefore, on nearly every inquest is at least \$2.50, in addition to the \$1 which the clerk receives for his own services as a juror. In many cases, however, undertakers and their employes serve on juries and when they do they give their vouchers to the clerk without any compensation whatever. In such cases it is not an uncommon occurrence to make a net profit of from \$3.50 to \$4 on an inquest.

The Bureau is informed that the clerks receive no stated salaries, but the \$1 which they receive for serving as jurors is considered part of their compensation. What they receive in addition to this depends upon their individual agreements with the deputies. How the profit from the purchase of the certificates is divided and who are the beneficiaries outside of the deputy coroners, the Bureau has no means of determining. The extent to which this practice obtains will be shown in another portion of this report. The subject is merely men-

tioned here incidentally to show the methods by which the clerks obtain their compensation.

Permitting clerks to sit on Coroner's juries and to deprive the other jurors of one-half of the small compensation which they are supposed to receive—for that in effect is what it amounts to in many cases—are two of the most reprehensible practices which obtain in connection with the conduct of the Coroner's office. The Bureau recommends in the most emphatic manner that they be discontinued.

If clerks are necessary in connection with the work of deputy coroners—and the Bureau does not believe that they are—they should be placed on the payroll of the county at stipulated salaries.

RECEIPTS AND EXPENSES OF THE CORONER'S OFFICE.

1. RECEIPTS.

Fees for holding inquests, from the sale of certified copies, for serving writs and for appearing in court with records represent the four sources of income of the Coroner's office. The charges made for these services are as follows:

1. Inquest fees, \$6.
2. Certified copies:
 - (a) Copy of testimony per page—longhand, 25c; typewritten, 50c.
 - (b) Copy of doctor's findings—longhand, 25c; typewritten, 50c.
 - (c) Copy of verdict—\$1.
3. Writs served, 50c to \$1.75, plus mileage to and from.
4. Witness fees for appearing in court with Coroner's records, \$1.10.

The total receipts from these sources for the past 12 years are as follows:

Year.	Inquest Fees.	Certified Copies.	Writs Served and Witness Fees.	Total.
1899	\$270	\$160.25	\$296.70	\$726.95
1900	702	258.00	119.75	1,079.75
1901	840	260.00	164.15	1,264.15
1902	636	488.25	230.70	1,354.95
1903	708	636.00	170.15	1,514.15
1904	582	766.75	171.20	1,519.95
1905	984	699.35	119.60	1,802.95
1906	894	1,694.10	169.05	2,757.15
1907	1,536	2,290.50	117.15	3,943.65
1908	1,140	2,309.60	211.20	3,660.80
1909	840	2,393.10	169.80	3,402.90
1910	780	2,903.10	170.32	3,853.42
Totals ...	\$9,912	\$14,859.00	\$2,109.77	\$26,880.77

The present Coroner came into office in 1905. During the first six years of his administration as compared with the preceding six years there was an increase of more than 150 per cent. in the total receipts of the office. The major portion of this increase was from the sale of certified copies and is probably due to the increased demand for certified copies in cases where the files contain the verbatim reports of the testimony as taken by the Coroner's reporters. (His predecessors had no reporting staff.) There has been a small decrease in the receipts covering charges for serving of writs and a small increase in the collection of inquest fees.

The cash received daily from the above mentioned sources is deposited at irregular intervals of about once a month (usually between the 1st and the 10th) to the credit of the Coroner in the Desplaines State Bank. The Coroner makes a daily report of the receipts of his office to the county auditor and at the end of the month renders a monthly summary which also gives the daily collections and the total collections for the month. The auditor, after checking the daily reports with the Coroner's "monthly summary," issues a "bill or collection warrant" on the Coroner for the total amount of the month's collections. The Coroner thereupon draws a check for the

amount on the above mentioned bank payable to the county treasurer and remits to the county clerk.

2. EXPENSES.

The cost of administration of the Coroner's office for the fiscal year 1910 as shown by the charges against the appropriations made by the county board was as follows:

Salaries	\$41,453.10
Jurors' fees	34,474.00
Supplies	1,178.02
Chemical analyses	1,027.50
Incidental expenses	631.58
	<hr/>
Total	\$78,764.20
Less fees collected	3,853.42
	<hr/>
Net cost of administration	\$74,910.78

The appropriations for salaries and the various expense funds (exclusive of jurors' fees which is included in a \$250,000 appropriation to cover all county jury services) for the years 1910 and 1911 are as follows:

	1910.	1911.	Increase.
Salary	\$42,100	\$45,400	\$3,300
Supply	1,500	1,500	.....
Chemical analysis ..	1,000	2,000	1,000
Incidental expense..	500	1,000	500
	<hr/>	<hr/>	<hr/>
Totals	\$45,100	\$49,900	\$4,800

Estimating the cost of jurors' fees and the collection of fees to be about the same as in 1910, the cost of administration for 1911 should be approximately \$80,000.

The \$3,300 increase in salaries was due to the addition to the reporting force of one reporter at \$1,800 and one typist at \$1,200 and to increases of \$100 each in the salaries of three clerks.

Of the \$34,474 paid out by the county treasurer for jurors' fees, less than \$20,000 was actually received by the jurors. The balance, or approximately \$15,000, represents the net profits made by the deputy coroners, who personally or through their clerks purchased the Coroner's certificates from the jurors.

INQUEST FEES.

Under the statute the Coroner is entitled to a fee of \$5 for holding each inquest and of \$1 for summoning each jury, making a total of \$6 for inquest fees. It is his duty to collect such fees from the estates of deceased persons when possible; otherwise the county is liable therefor. The provision requiring the collection of inquest fees from estates has never found favor with Cook County Coroners. No systematic effort to collect such fees has been made. Moreover, in most instances, when collections have been made, relatives of deceased persons, rather than their estates, have been called upon to pay. During the twelve years ending November 30, 1910, collections were made in but 1,652 out of a total of 44,754 cases, or in about 3.7 per cent. of those cases in which inquests were held. The fees collected amounted to only \$9,912. The figures covering that period are given in detail in the following table:

Year.	No. of In- quests Held.	No. of Inquest Fees Collected.	Per Cent. of Fees Collected.	Amount of Inquest Fees Collected.
1899	2,774	45	1.6	\$270
1900	2,855	117	4.1	702
1901	2,996	140	4.7	840
1902	3,166	106	3.4	636
1903	3,748	118	3.1	708
1904	3,821	97	2.5	582
1905	3,482	164	4.7	984
1906	3,962	149	3.8	894
1907	4,237	256	6.	1,536
1908	4,214	190	4.5	1,140
1909	4,604	140	3.	840
1910	4,895	130	2.7	780
Totals	44,754	1,652	3.7	\$9,912

The Coroner recommends that the statute requiring the collection of fees from the estates of deceased persons be repealed and in view of the small amount of revenue derived from this source and the difficulties attendant upon the enforcement of the law, the Bureau concurs in the recommendation.

HANDLING OF ESTATES.

1. STATUTORY REQUIREMENTS.

Section 20, Chapter 31, of the revised statutes, reads as follows:

Disposition of Property. "When any valuable personal property, money or papers are found upon or near the body upon which an inquest is held, the coroner shall take charge of the same and deliver the same to those entitled to its care or possession; but if not claimed, or if the same shall be necessary to defray the expenses of the burial, the Coroner shall, after giving ten days' notice of the time and place of sale, sell such property, and after deducting Coroner's fees and funeral expenses, deposit the proceeds thereof, and the money and papers so found, with the county treasurer, taking his receipt therefor, there to remain subject to the order of the legal representatives of the deceased, if claimed within five years thereafter, or if not claimed within that time, to vest in the county."

By Section 19, Chapter 31, the Coroner is also required to take an inventory of the "personal effects and property of every kind and nature whatever, and state on his records what has been done with the same, and where the proceeds of any such property and the money and papers, if any, are deposited."

2. RECEIPT AND CUSTODY OF ESTATES.

In most cases a policeman is the first representative of the law who sees the body and it is his duty to take possession of any property which may be found on or near the body and hold same until the deputy coroner takes charge. The deputy, upon arrival, assumes charge of the body and property and gives the policeman a receipt for the personal effects of the

deceased. The deputy takes an inventory of the property and lists it on a form known as the "effects and estate" sheet. After the inquest is concluded, the deputy coroner takes the personal effects of the deceased, such as money, jewelry, papers, small grips, etc., to the Coroner's office. If there are any trunks, clothing, etc., which it is necessary to convey by wagon, the deputy instructs the policeman to have them sent to the Coroner's office in the precinct wagon.

If, however, there are relatives present who claim the body for burial and the estate is small, the deputy may turn the property over to them. In such cases he takes their receipt on the face of the effects and estate sheet. In other cases the valuables are taken to the Coroner's office and the relatives are obliged to go there and satisfy the Coroner or his chief deputy that they are entitled to the property.

When the deputy coroner brings the property to the Coroner's office, he turns it over to the record clerk together with the inquest papers and the record clerk checks it with the "effects and estate" sheet. The record clerk then places the money, jewelry, papers and other small articles in an envelope on the back of which he writes the name of the deceased, date of inquest, inquest number and list of articles contained therein and places it in the safe in the Coroner's office. Trunks, grips, clothing and other large articles of whatever description he turns over to the vault clerk, who puts them in the Coroner's storage vault on floor 3½ of the County Building. The "effects and estate" sheet is filed with the inquest papers and the chief deputy coroner makes entries in the property record from this form. The property record also contains a detailed description of the estate, and, if delivered, the date and name and address of person to whom delivered.

At irregular periods of about sixty days, the chief deputy coroner goes through the envelopes in the safe and extracts the money of estates which have been on hand over sixty days,

and transfers the envelopes containing other small personal property, such as jewelry, papers, etc., to safety deposit boxes in the vault of the Coroner's office. He deposits the money in the Desplaines State Bank of Desplaines, Illinois, to the credit of the Coroner. On November 21, 1911, a statement rendered by the bank showed that there was a credit to the estate fund of \$2,754.86. As no list or record of any kind is kept of the individual items taken from the envelopes for deposit, it was impossible for the Bureau, with the limited time at its disposal, to verify the bank balance in order to see that all money extracted from the envelopes was actually in bank.

3. DISPOSITION OF ESTATES.

After estates reach the Coroner's office, they are finally disposed of in one of four ways, viz:

1. Turned over to executors named in will, relatives or foreign consuls.
2. Turned over to administrators.
3. Turned over to undertakers to cover burial expenses.
4. Sold by Coroner at end of his term of office and the proceeds turned over to the county treasurer.

(1) Estates Disposed of by Will, etc.—When the deceased leaves a will, the estate is turned over to the executor named therein and if there is no will and the estate is not of a value greater than \$80, it is turned over to the relatives who buried the body or in the case of a foreigner with no relatives or friends it may be turned over to the foreign consul of the country of which the deceased was a citizen.

(2) Estates Turned Over to Administrators.—When a person dies intestate, if the estate of the deceased consists of money in excess of \$80, or jewelry or other property which when sold and added to the money found on the body of the deceased would in the opinion of the Coroner amount to more than \$80, it is turned over to the administrator when appointed by the probate court.

(3) *Estates Turned Over to Undertakers to Cover Burial Expenses.*—When there are no friends or relatives who claim the body for burial and the estate is not of a greater value than \$80 and the undertaker is willing to bury the body in exchange therefor, the estate is turned over to the undertaker. The cost of the burial and, therefore, its kind—quality of casket, shroud, etc.—is determined by the undertaker, based on the value which he places on the estate. The chief deputy coroner states that in such cases, unless the estate contains in excess of \$20 in money, in addition to property, no inquest fees are deducted, the entire amount being turned over to the undertaker with the other personal property. Undertakers render no bills showing the cost of funerals except that in some cases when they call for the estates they show their bills to the chief deputy coroner and he has them receipt the bills before turning over the estates. However, the receipted bills are not filed in the Coroner's office, the undertakers being allowed to retain them. This practice of turning estates over to undertakers is not in accordance with the requirements of the statute which states that in such cases "the Coroner shall, after giving ten days' notice of the time and place of sale, sell such property and after deducting Coroner's fees and funeral expenses, deposit the proceeds with the county treasurer."

(4) *Estates Held by Coroner Until the End of His Term of Office.*—No sales of estates have been made by the Coroner during his seven years' service. He says that estates which are not disposed of by one of the three methods heretofore mentioned are being held by him until the expiration of his term of office, when the property is to be sold and the proceeds together with all unclaimed money are to be turned over to the county treasurer. The chief deputy coroner states that such estates now in the hands of the Coroner were found either on unidentified or unclaimed bodies and were all of such small value that undertakers would not bury the bodies in exchange

therefor, or on bodies which were buried by the county at the request of relatives who have failed to come in and claim the estates. It is not an unusual occurrence for valuable property of deceased persons who die among strangers to disappear before the arrival of a deputy coroner. Such a case recently came up in the probate court and charges were filed with the civil service commission against a police officer charging him with having appropriated property of the deceased person to his own use. The Bureau suggests that the Coroner furnish all police precincts with a supply of his "effects and estate" forms in order that police officers may make an inventory of property promptly upon their arrival. After listing the property, an officer and two witnesses should sign it. A copy of this form, together with the property, should be turned over to the deputy upon his arrival and a copy signed by the deputy filed in the precinct station by the officer as his receipt. While no system will absolutely stop the robbing of the dead, this will be a step in the right direction and a considerable improvement over the present system.

The Bureau also recommends that the Coroner keep a record of the individual items abstracted from the estate envelopes from time to time for deposit in bank so that the amount of trust funds in bank and the estates to which they belong may be determined at any time.

The statute (previously quoted) is very plain in laying down the procedure to be followed by the Coroner in disposing of estates found on unclaimed bodies, and there would seem to be no reason why its provisions should not be complied with. Undertakers should also be required in all cases to give the Coroner a receipted bill which should be kept on file in the Coroner's office.

METHOD OF SELECTING JURORS.

1. STATUTORY PROVISIONS.

The following extracts from the revised statutes of Illinois show the statutory provisions for the selection of jurors:

Coroner to Take Charge of Body—Selection of Jury. "Every Coroner, whenever and as soon as he knows or is informed that the dead body of any person is found or lying within his county, supposed to have come to his or her death by violence, casualty or any undue means, he shall repair to the place where the dead body is, and take charge of the same and forthwith summon a jury of six good and lawful men of the neighborhood where the body is found or lying to assemble at the place where the body is at such time as he shall direct, and upon view of the body to inquire into the cause and manner of the death. Where, however, after said jury has viewed said body and the inquest has been continued by the coroner to a future date, and some of said jurors, not exceeding three, fail to appear at said inquest because of death, moving from state, or other sufficient reasons, it shall be lawful for the Coroner in such case to fill said vacancy or vacancies with good and lawful men of the same neighborhood. It shall not be necessary in such case to ex-hume the body in order that it may be viewed by said substituted jurors." Ch. 31, Sec. 10.

Bystanders Subject to Jury Service. "If a sufficient number of jurors so summoned do not attend, the Coroner shall summon others from among the bystanders to make up the jury." Ch. 31, Sec. 11.

Duty of Jurors. "It shall be the duty of the jurors, as sworn aforesaid, to inquire how, in what manner, and by whom or what, the said dead body came to its death, and of all other facts of and concerning the same, together with all material circumstances in any wise related to or connected with the said death, and make up and sign a verdict, and deliver the same to the Coroner." Ch. 31, Sec. 14.

Powers and Duties of Deputy Coroners. "Deputy Coroners duly appointed and qualified, may perform any and all the duties of the Coroner in the name of the Coroner, and the acts of such deputies shall be held to be the acts of the Coroner." Ch. 31, Sec. 27.

2. SELECTION OF JURORS BY DEPUTY AT MORGUE.

Since the procedure followed by the deputy at the morgue in selecting jurors differs radically from that followed by the other ten deputies engaged in outside work, it is discussed separately. Before entering into a description of the methods followed at the morgue, a brief description of that institution is given.

The county morgue is located on the grounds of the Cook County Hospital in the extreme rear of the main hospital building. The morgue is used for a three-fold purpose, viz.:

(1) For storing dead bodies brought from the County Hospital, until removed by relatives or otherwise disposed of.

(2) For holding autopsies by hospital physicians and internes.

(3) For holding inquests and post mortem examinations over Coroner's cases brought to the morgue.

While the morgue is located on the hospital grounds and was erected primarily as a repository for bodies of persons who die in the hospital, through custom, the deputy coroner has become the recognized head of the morgue and it is now considered to be under the supervision of the Coroner's office. The deputy coroner in charge, however, assumes no authority over matters pertaining to other than Coroner's cases. He merely acts as custodian of bodies which are brought to the morgue from the hospital in other than Coroner's cases, receiving the bodies, caring for them and disposing of them on orders from the hospital.

With the above explanation and qualification, it is proper to say that the deputy coroner has charge of the county morgue. His principal duty is to hold inquests over Coroner's cases brought to the morgue. He has general supervision over all employes who are assigned to duty at the morgue, including those on the hospital payroll.

Approximately 1,000 inquests are held at the county morgue annually. This is about 20 per cent. of the total number of cases handled by the Coroner's office. This large percentage is due to the fact that all inquests over bodies in Coroner's cases where the persons die in the County Hospital are held at the morgue. The deputy coroner at the morgue sets the date and hour for all morgue inquests and notifies the

Coroner's office. He usually sets the dates for inquests so that a majority of the inquests each week are held on one day. On this day between 10 and 15 inquests are usually held. There is a morgue clerk regularly employed by the county to assist the deputy at the morgue.

There are 14 "professional" jurors who do the jury service on all cases held at the morgue except in the very few cases which in the judgment of the deputy are of such importance that an outside jury should be selected. These cases, however, are very few, perhaps 2 or 3 per cent. of the total number. While the personnel of the professional juries may change from time to time, some of the jurors have been serving continuously for many years, and seven of the fourteen now serving have been at the morgue since 1907. On the busy days there are two juries sitting; while one jury prepares its verdict, the other hears testimony in another case. This alternating service is kept up until all inquests are held. It is not an unusual thing for some jurors to serve on eight or ten cases in a day. During the month of March, 1911, out of a possible 101 cases, each of those jurors served on from thirty-one to fifty-six cases. Coroner's jurors are supposed to be paid \$1 for each day or any part thereof on which they serve on a jury and when any services are rendered certificates are issued daily at this rate in favor of each of these jurors. The jurors, however, endorse the certificates before they are signed by the deputy and after they are endorsed the deputy pays the jurors in cash 50 per cent. of the face value of the certificates.

The Bureau is of the opinion that the present method under which these "professional" jurors are permitted to serve on juries at the morgue should be discontinued.

The best results cannot be obtained under this system. The work of those jurors becomes in many cases merely perfunctory and as they are under obligations to certain persons

for their positions, those persons have the power, whether they exercise it or not, to influence verdicts and have them rendered in accordance with their wishes. Jurors are called upon to pass judgment in many important cases, among which are those of murder and personal injury. During the month of March, 1911, these juries composed of "professionals" passed on four out of six homicide cases and on six out of six personal injury cases where the deceased persons had been killed by street car companies and by railroads. The Bureau does not believe that it is proper to submit such cases to the judgment of these "professional" jurors.

Under a different method of selection, and payment on a per diem basis, not only would a better grade of jurors be obtained, but the work could be done at a considerable saving to the county. If jurors were selected to serve at the morgue for periods of one or two weeks and made ineligible for more than two weeks service in a year, there would be a constant change of jurors, which should be very beneficial to the service. Under this system morgue jurors should be paid \$2.10 per day, which is the rate paid jurors sent out by the county court to sit in insane cases at the Detention Hospital. (The Detention Hospital is also on the County Hospital grounds and within a stone's throw of the morgue.) One jury with an extra man (making seven jurors) on duty six days in the week, with an extra jury (making fourteen jurors) on duty one day each week to take care of the work on the heavy day, would be sufficient under normal conditions to handle all morgue cases. The general assembly should be asked for such legislation as may be necessary to accomplish this result.

In the appendix to this report (page 64) will be found a tabulation showing the cost of holding inquests at the morgue for the six months ending August 31, 1911, under the present system, what it would have cost under the one suggested, and the saving which could have been effected had it

been in operation. From the tabulation it will be seen that under the suggested system the cost of holding inquests would have been from 26 to 45 per cent less each month and there would have been an average saving of 37 per cent. for the six months, or expressed in money terms, an average monthly saving of \$272.30, or \$1,633.80 for the six months' period. Allowing for the possible extraordinary occasions when an extra jury might be needed for more than one day in the week, it is safe to say that under the system of paying on a per diem basis, an annual saving of between \$2,500 and \$3,000 might be effected on the cost of holding morgue inquests.

3. SELECTION OF JURORS BY OUTSIDE DEPUTY CORONERS.

The methods employed in the selection of jurors by the deputies who work out of the Coroner's office are also open to serious criticism. When a deputy receives his assignment, he notifies his clerk and the clerk precedes the deputy to the place where the inquest is to be held. Under the system in vogue, the duty of selecting the jurors is usually delegated to the clerk by the deputy. The clerk usually selects himself as the first juror and if business happens to be a little dull and there is another deputy's clerk in the office whose deputy has no assignment, he will take that clerk along as juror number two. Then there are a number of "professional" jurors who come to the Coroner's office morning and afternoon seeking service as jurors. When the Bureau's representative began his work in the Coroner's office, those "professional" jurors could be seen in the deputies' room daily. Shortly afterwards they discontinued coming to the office, but thereafter they could be seen at the Clark street entrance to the County Building almost every day about 9 a. m. and 1 p. m. waiting for the clerks. It is not an unusual thing for the clerk to pick up two or three of these "professional" jurors and either take them

along or tell them where to go. The clerk then proceeds to the place where the inquest is to be held and if it happens to be at an undertaking establishment, the undertaker, and, if necessary, one of his employees, may be pressed into service.

It is not an unusual occurrence for a majority of the jury to be made up of "professional" jurors even in important cases. In order to show to what extent this practice obtains, the homicide cases held in one month in 1911 were checked and it was found that in twenty-one out of twenty-six cases handled by the ten deputy coroners, "professional" jurors served on the juries. In five cases a majority of the jurors were "professionals;" in six cases half of the jurors were "professionals;" in four cases two were "professionals," and in six cases one was a "professional."

No attempt was made to count in other classes of cases the number of instances where "professional" jurors constituted a majority; but such cases were noticed in which the deaths were caused by drowning, appendicitis, falls, automobile and carriage accidents. These "professional" jurors often serve on two juries held at different places on the same day.

Out of 331 hearings at inquests held by these deputies during one month this year, deputies' clerks served on 242 (73 per cent.) of the juries. Of 1,986 jurors' places, 308 were filled by these clerks and 161 by other "professional" jurors, making a total of 469 places (24 per cent of the total number) which were filled by "professional" jurors during that month.

It is interesting to note in connection with these figures that out of the 156 jurors who served on the twenty-six homicide cases (heretofore mentioned), 53 jurors or 34 per cent were "professionals." In other words, proportionately more "professional" jurors served on homicide cases than on others. In the appendix to this report (page 65) will be found a state-

ment giving detailed information in regard to the jury service of deputy coroners' clerks.

To the end that these practices may be stamped out, the Bureau recommends that deputies' clerks be prohibited from serving on juries and that no juror be eligible to serve on a Coroner's jury more than one time in any one month. Deputy coroners should be instructed to ascertain whether jurors are disqualified for this reason before selecting them.

JURORS' FEES.

1. STATUTORY PROVISION.

Section 45, Chapter 53 of the revised statutes, reads as follows:

Jurors' Fees. "The fee of each juror attending an inquest held over a dead body shall be one dollar per day, payable out of the county treasury, upon the certificate of the coroner or acting coroner of the county wherein the inquest was held."

2. METHOD OF PAYMENT.

Jurors are supposed to be paid by means of Coroner's certificates issued by deputy coroners. A coroner's certificate, when signed by the juror in the space provided for that purpose on the face of the certificate, and approved by the county comptroller, becomes an order on the county treasurer and will be paid upon presentation at his office in the County Building. Coroner's certificates are made out by the deputy or his clerk in the name of the Coroner and are supposed to be given to the jurors at the conclusion of inquests. Some deputies, however, in cases where inquests are continued, issue certificates each day instead of waiting until the inquests are completed. In their present form, the certificates are not negotiable.

3. TRAFFIC IN CORONER'S CERTIFICATES.

Under the system of payment actually in vogue, very few Coroner's certificates ever come into the possession of the jurors, except momentarily, for the purpose of endorsement. Instead, in outside cases, the certificates are purchased by the deputies' clerks and at the morgue by the deputy coroner. The customary price paid—and we are informed the maximum—is 50 cents on the dollar. Approximately 85 per cent of the certificates issued are for \$1 and the jurors, therefore, in most cases, receive only 50 cents for their services. The extent to which this practice obtains is indicated by the fact that between July 17 and August 12, 1911, a period of nearly a month, out of 2,384 certificates cashed by the county treasurer, 2,372 were cashed for professional buyers.

For the purpose of showing that the practice of buying certificates is general and not confined to clerks of any particular deputies, there is given in the tabulation which follows the number cashed by each. There is also given the number cashed by two morgue jurors who cashed them for the deputy coroner at the county morgue and the number actually cashed by jurors themselves.

CERTIFICATES CASHED BY COUNTY TREASURER FROM JULY 17 TO
AUGUST 12, 1911.

Cashed by two morgue jurors for deputy—

Number of certificates.

Professional juror No. 1270
Professional juror No. 2210

Total cashed by two morgue jurors..... 480

Cashed by deputy coroners' clerks—

Clerk A287
" B246
" C214
" D204
" E191
" F175
" G169
" H162
" I136
" J108

Total cashed by deputy coroners' clerks 1,892

Cashed by jurors to whom issued..... 7
Unendorsed—probably cashed by jurors 5

Total probably cashed by jurors 12

Total number issued during period..... 2,384

Per cent of total number cashed by professional
buyers 99.5

The 270 certificates amounting in value to \$378 cashed by morgue juror No. 1 under date of July 26th and the 210 amounting to \$270 cashed by morgue juror No. 2 under date of August 9th included every certificate issued by the deputy

coroner at the morgue between July 8th and August 3d. An additional check covering a lot of 306 certificates amounting in value to \$390, which were cashed by morgue juror No. 2 under date of September 15, 1911, showed that they included every certificate issued by the deputy coroner at the morgue between August 25th and September 9th.

It is very evident from these figures that the system is well organized at the morgue and in perfect working order. On account of the time which it would have consumed, the Bureau did not go over the records to see what proportion of the certificates issued by the other deputies were purchased by their clerks. The figures in the tabulation indicate, however, that they secure practically all of them. In this connection it should be borne in mind that the deputies' clerks serve on nearly all the juries and it is therefore only necessary for them to buy five certificates to each jury in order to secure them all. The examples cited are not selected cases, and it is believed that they are representative and reflect the general conditions and the systems which obtain year in and year out.

The reason given by those who attempt to defend the system under which the buying of certificates is permitted is that it is an accommodation to the jurors in that it saves them from making a trip to the County Building. In some cases this is probably true, as there are jurors who seldom have business downtown and who would prefer to accept 50 cents in money rather than go to the trouble of cashing the certificates themselves. But this can scarcely be the case with anything like a majority of the jurors and certainly not with practically all of them. It would seem that in many instances jurors are made to understand that they are expected to accept 50 cents for their services. It is probably only the few who refuse to sell at a discount who personally cash their certificates. With respect to "professional" jurors, except the clerks themselves, willingness to accept 50 cents

is a condition precedent to being permitted to serve. The majority of the others perhaps do not know that they are supposed to receive more than 50 cents. Undertakers and their helpers who serve as jurors, as has been explained, turn their vouchers over to the clerks without any compensation. At the morgue, there are sometimes ten or fifteen cases held in a day. Some days a single juror serves on as many as eight or ten cases at 50 cents each.

The Bureau considers the practice of trafficking in certificates by persons connected with the Coroner's office as reprehensible, and one which should be stamped out immediately. The compensation provided by law for Coroner's jurors is small enough, and the system should be carried out so that they may receive at least the amount to which they are entitled. To this end the Bureau recommends (a) that Coroner's certificates be issued in no cases until inquests are completed; (b) that approval of the comptroller as a condition precedent to payment by the county treasurer be dispensed with and that the form of the certificates be changed so that they will be accepted by banks the same as checks, and (c) that employes or others connected directly or indirectly with the Coroner's office, such as clerks or "professional" jurors, be prohibited from purchasing these certificates and that the permitting or condoning of the practice by deputy coroners be made a violation of civil service rules and a cause for dismissal from the service.

STENOGRAPHIC REPORTS OF TESTIMONY TAKEN AT INQUESTS.

1. USE OF TRANSCRIPTS FURNISHED BY PUBLIC SERVICE CORPORATIONS.

One of the principal accomplishments of the present administration is the addition of a stenographic reporting staff. A practice has grown up, however, in connection with this new method of reporting cases, which makes it worse in some respects than the long-hand method, which was used prior to the addition of the reporting staff. Under the old method deputy coroners took the gist of the testimony in longhand, read it back to the witnesses and had them sign it. This is the method followed at the present time in cases to which reporters are not assigned.

In 1907 an act was passed by the legislature under the provisions of which the Coroner might have the testimony taken in shorthand by a reporter and the reporter's transcript filed with the inquest papers as the official record of the testimony. In 1908 the first reporter was employed. In 1910 another reporter and two typists were added to the staff. On November 18, 1910, the Coroner in his annual letter to the judges of the circuit court requested that he be allowed an additional reporter and typist. The following are extracts from the Coroner's letter:

"I am asking for an additional allowance this year, of one court reporter and one typist, as I find that the two reporters we have are not sufficient to cover all the murder and personal injury cases. * * *

"In addition to the cases above referred to, we have taken the shorthand notes from the corporations involved, by consent of both parties, in many cases, as our reporters were at those times engaged in other cases. This is a practice that I do not approve of, though both parties consent to having the work done in that way. In all important cases the corporations are represented, not only by a court reporter, but also by counsel, and I believe that the heirs of the unfortunates who lose their lives should receive the same consideration, and not be obliged to rely on the meagre long hand notes. I believe that if my request hereto-

fore mentioned, for one additional reporter and one typewriter operator, be allowed, it will do away with the practice above referred to, and I will not be obliged to hire work done outside of my office. In view of the above facts, I would respectfully petition that my request be granted.”

This request was granted and during the present year the Coroner has had a staff of three reporters and three typists, but the practice of accepting the shorthand transcripts furnished by certain corporations and making them a part of the official inquest files has continued as before. In fact, there is a tacit understanding (although the chief deputy coroner informs the Bureau that there are no agreements to that effect and that no special arrangements have been entered into) that the Chicago City Railway Company, the Chicago Railways Company, the Chicago & Northwestern Railway Company and the Chicago, Milwaukee and St. Paul Railway Company will furnish copies of testimony taken in all cases in which they are interested where Coroner's reporters are not assigned to the cases and it is agreeable to the representatives of the deceased.

Some idea of the extent to which the practice of not assigning reporters to cases in which these four corporations are concerned prevails may be had from the statement that out of 123 cases in which these four companies were interested for the six months ending August 31, 1911, Coroner's reporters were assigned to only 12. During this same period, out of a total of 253 cases where the deaths were due to transportation accidents, Coroner's reporters were assigned to only 92 or 36 per cent. Instead of being assigned to these personal injury cases to look after the interests of “the heirs of the unfortunates who lose their lives” for whom the Coroner was so solicitous in his letter to the judges of the circuit court when requesting an increase in the reporting staff, the reporters were sent out in many instances to cover cases where the deaths were due to falls, burns, drownings, and suicides.

The figures below show the number of cases handled by the Coroner during the six months' period mentioned where the deaths were due to accidents in which the four mentioned and all other transportation companies were interested and the number and percent of cases to which Coroner's reporters were assigned:

Name of Corporations Interested.	Number of Inquests Held.	Cases Covered by Coroner's Reporters.	
		Number.	Per Cent.
Chicago Railways	47	1	2
Chicago City Railway.....	33	3	10
Chicago and Northwestern Railway	24	4	17
Chicago, Milwaukee and St. Paul Railway	19	4	21
	<hr/> 123	<hr/> 12	<hr/> 10
Other transportation com- panies	130	80	62
	<hr/>	<hr/>	<hr/>
Totals all transportation companies	253	92	36

In explanation of the assignment of reporters to such a small number of cases in which the four corporations mentioned were interested, the chief deputy coroner (who makes the assignments) stated that with the present force it had been impossible to assign reporters to all classes of cases which the Coroner attempts to cover and that since these corporations would furnish copies of the testimony in cases to which Coroner's reporters were not assigned, Coroner's reporters were sent to other cases. This statement, however, does not harmonize with the Coroner's letter to the judges, in which the chief reason given for requesting an additional reporter and typist was that they would make possible the covering of all personal injury cases so that it would not be necessary to accept transcripts of testimony furnished by the corporations.

It is the opinion of the Bureau that under no circumstances should transcripts of testimony furnished by public service corporations be accepted by the Coroner and filed as part of the official inquest papers. The Bureau is also of the opinion that next to homicide cases, transportation cases should be the first to be covered by the Coroner's reporters and that in cases where it is impossible to assign a reporter to such cases, the deputy should be required to take the gist of the testimony in longhand, as was formerly the custom.

On one occasion a Coroner's reporter was assigned to a case in which the Chicago Railways Company was interested. A reporter representing the Chicago Railways Company was also present and both reporters took the testimony. For some reason the Chicago Railways Company sent the Coroner a copy of the testimony as taken by the reporter who represented it. The Coroner's reporter who covered the case decided that it would take less time to compare the transcript furnished with his notes than to dictate the testimony in a phonograph and have it transcribed by a typist. In making the comparison he discovered a number of differences between the testimony as shown by his notes and the transcript furnished. The case was one in which it was alleged that the conductor had pushed the deceased from one of the company's street cars and that he had sustained injuries which resulted in his death. According to the transcript of the company reporter the man was "conscious" when picked up; according to the notes of the reporter on the Coroner's staff, he was "unconscious."

2. CASES WHICH SHOULD BE COVERED BY CORONER'S REPORTERS.

In the appendix to this report (page 66) will be found a table showing the total number of cases of the most important classes handled by the Coroner for the six months ending August 31, 1911, and the number and per cent. of each class

covered by Coroner's reporters. Another table will be found in the appendix (page 67), showing the classes of cases which, in the opinion of the Bureau, should have been covered or given preference in the making of assignments. They are arranged in what the Bureau believes to be the order of their importance as a general rule. From the latter table it will be seen that homicide cases are placed first in importance, transportation accidents second and industrial accidents third. The Bureau believes that these three classes of cases should be covered in all instances where it is possible to make the classifications in advance of the investigations.

The records show that during the year 1910 the Coroner handled 203 homicide cases, 577 transportation accident cases and 287 industrial accident cases, making a total of 1,067. During the six months' period ending August 31, 1911, Coroner's reporters were assigned to 173 cases not included in the three classes of cases mentioned. This is at the rate of about 350 cases annually. It is the opinion of the Bureau, however, that in addition to the three classes of cases mentioned, reporters should be assigned to all abortion cases and to all automobile, motorcycle and wagon accident cases. If all the classes indicated were covered, there would be about 1,500 cases handled by the Coroner annually to which reporters should be assigned. Whether or not cases, other than those included in the classes mentioned above, shall be covered must be left to the discretion of the coroner in each case.

3. NUMBER OF REPORTERS NECESSARY.

During the six months ending August 31, 1911, the three reporters allowed the Coroner covered 475 cases, an average of 158 each. At this rate a reporter will cover an average of 316 cases yearly. One of the reporters, however, whose average was very low, worked under

some disadvantages. He was the last reporter to be added to the force. A phonograph was not provided for him. He had to use one of the machines of the other reporters as available. If he had had a phonograph, his average would have been considerably higher. Reporters would be able to cover more cases if they would get in touch over the telephone with police precincts just before going out on cases and find out if the police officer intends to request that the inquest be continued. Postponements are often taken where police officers request more time in order to complete their investigations or to have witnesses present to testify who cannot be there at the time set for the inquests. In such cases the services of a reporter are not necessary at the preliminary hearing. When a reporter goes out on such cases at 10 o'clock, it is usually too late for another assignment until the afternoon and when he goes out at 2 o'clock in most cases he would not be able to cover another case on that same day. Consequently, in either case, half a day would be lost. Out of four inquests which were attended by the Bureau's representative to which reporters were assigned, two were continued at the request of police officers.

The chief deputy coroner assigns all reporters to cases which are to be covered. Because of his many other duties he is unable to give the assigning and routing of reporters the attention necessary to get the best results. If an assignment record, showing all present as well as future assignments of reporters, were kept by a subordinate clerk, for the chief deputy, so that the latter could tell at any time where each reporter is and what he has ahead of him, he would be enabled to get better results and the reporters would cover more cases. It might also be well to consider the advisability of giving one reporter a slightly larger salary and having him make the individual assignments on instructions from the chief deputy as to the cases to be covered.

The Bureau is of the opinion that under favorable conditions the reporters will average approximately 400 cases per year. At this rate four reporters and three typists would probably be able to cover all the cases requiring their presence.

4. RECOMMENDATIONS.

The Bureau, therefore, recommends that the Coroner be given an additional reporter for the coming year, and if, after a trial, he finds it impossible to cover all the classes of cases suggested, that the reporting staff for 1913 be increased to five reporters and four typists. It also recommends that if from time to time there are cases which should be covered when no reporters are available, the deputy coroners be required to take the gist of the testimony in longhand. In no instance should the transcript of testimony taken by other than his own reporters be filed by the Coroner as part of the official inquest papers. The purchase of two additional phonographs is recommended, so that each reporter will have one for his individual use. Reporters should be instructed to phone police precincts before going out on assignments to see if a continuance is to be requested.

RECORD AND FORMS.

1. FINANCIAL.

The Bureau does not here attempt to enter into a detailed description of the various records and forms, but there are some with regard to the use of which it desires to make suggestions.

Certified Copy Orders.

This is a record in which orders for certified copies are entered at the time they are received and from which postings are made to the "earnings and receipts" book. It is a bound volume containing 200 sheets. There are two orders to the sheet and they are numbered consecutively. The order blank consists of the stub and the order proper which folds over the stub, so that with the use of carbon paper they can be filled out simultaneously. At the present time both the original and duplicate orders are left in the book. Under the system in the Coroner's office there is no need for two copies so far as that office is concerned, but if the originals were torn out (they are perforated in order that this may be done), attached to the duplicate of the "earnings and receipts" sheet and forwarded to the county auditor daily, it would enable the auditor to keep a much better check on the receipts than at present and with an expenditure of very little time.

Earnings and Receipts.

With the exception of the sale of certified copies, this is the book of original entry for all collections both cash and credit. The largest entries both in number and amount, however, are for the sale of certified copies. When entries are made covering certified copies, the number of the inquest file is given as a reference.

It is suggested that instead of the inquest file number, the certified copy order number be entered. If this were done, it would make it a very easy matter to detect the failure to enter a collection or make a charge, as the certified copy orders are numbered consecutively. In addition to this it would be of assistance to the county auditor in checking the certified copy orders with the daily "earnings and receipts" sheet.

Effects and Estate Sheet.

This is a form used by deputy coroners for listing property found on or near the bodies of deceased persons and which is turned over to them by policemen at inquests. It also contains spaces for the listing of articles such as revolvers, bullets, empty shells, cartridges and knives which are to be kept as evidence. At the top of the form there are spaces to be filled out showing the date and name of deceased and at the bottom there is a space for the signature of the deputy coroner. This form is filed as a part of the inquest papers. It was gotten up by the present administration and has been in use several months. This is a good form, was badly needed and is well adapted to the purpose for which it was designed. However, a space should be provided on the form just below that for the signature of the deputy where the record clerk may sign his name, signifying that he has checked the property with the list and found it to be correct. Prior to the time when the use of this form was begun, the official inquest records contained no detailed statement showing the personal effects found on bodies of deceased persons.

The Bureau has already suggested in a previous section of this report that the Coroner furnish all police precincts with a supply of these forms so that police officers may also use them in making inventories of property promptly upon their arrival in cases where they are in charge of bodies pending the holding of Coroner's inquests. It has been suggested also that police officers be requested to make out the form in duplicate and that a copy signed by the officer in charge and two witnesses be turned over to the deputy upon his arrival and a duplicate signed by the deputy given to the police officer as a receipt. That this may be carried out, spaces should also be provided for the signature of the police and two witnesses. In order that the greatest possible benefit may be derived from the use

of this form, the Bureau recommends that the suggested additions be made for the signatures of policemen, witnesses and the record clerk and that the Coroner endeavor to obtain the co-operation of the police department in securing its adoption by all the precinct stations.

Coroner's Certificates.

Under the present system the Coroner's office keeps no record of the total number and amount of certificates issued for the payment of jurors, either weekly, monthly or yearly, and no check of any kind is ever made by the Coroner's office to see if the amount of money paid out by the county treasurer from time to time on Coroner's certificates agrees with the total amount as per the daily pay rolls (Coroner's jury lists) which have been certified and turned over to the comptroller. Such a check should be made monthly or at least semi-annually.

2. STATISTICAL.

Statistical Record.

This is the principal statistical record of the Coroner's office. It contains a condensed monthly and yearly record of the total number of all classes of cases handled by the Coroner. It shows among other things the total number of inquests held during the month and year, together with the occupations of the deceased persons and the causes of death in all the various classes of cases. It also shows the number of deaths resulting from industrial and transportation accidents, homicides and suicides, and the age, sex, social condition and color. The deaths due to transportation accidents are further classified so as to show those caused by railroads, street car companies and elevated railways and how the person killed met his death. Of the total number killed, it also shows the number killed at crossings and not at cross-

ings and whether the persons killed were passengers, employes or others. A further division is then made and the total number killed by each railroad, street car and elevated railway company is shown. In suicides and homicides the mode of death is given, and, if death was caused by poisoning, the kind of poison used.

This record was installed by the present Coroner during the first year of his administration (1905). It is one of the most valuable records in the office. A report embodying practically all of the information contained in this record is made up annually for the county board and is published in the proceedings. This report contains information of much value to the public in general and to civic organizations in particular. It is recommended that in future the county commissioners make provision for the publication in pamphlet form of this report.

Record of Post Mortems Held at County Morgue.

This is another valuable statistical record which has been installed under the administration of the present Coroner. It contains a record of all post mortems held at the morgue by the Coroner's physician. A record of each case is made on a loose-leaf form and filed in a binder. Among the details given are the clinical and anatomical diagnoses and a description of the cases. This record should be of special interest to the medical profession from a scientific standpoint. It was installed in July of the present year by the Coroner's physician now stationed at the morgue. This record is now kept in this physician's private office. He states, however, that when he accumulates a sufficient number to make up a bound volume (perhaps 200 sheets) it is his purpose to transfer them to the Coroner's office, where they will be accessible to the public at all times. At present they would be available and could be seen if a request were made to the Coroner. These sheets are

typewritten and it would be a simple matter to have them made out in duplicate and the originals forwarded to the Coroner daily or as fast as they are written up. If this were done, there would always be a record on file in the Coroner's office. The installation of this record calls for commendation.

Use of Card Index File Suggested.

At the present time there is no comprehensive reference index in the Coroner's office. Each inquest record, however, contains an index in the front covering all cases recorded therein. The average period of time covered by each inquest record is two months. Under this system, in order to locate the inquest papers in a given case, unless the year and approximately the month is known, it might be necessary to look through many inquest record indexes.

The clerks in the Coroner's office have not time to make a search for files in cases where the inquirer cannot give the year and month, and for this reason the information contained in the files is not as readily accessible to the public as it would be if a card index file were installed. The Bureau, therefore, recommends the installation of a card index file. In addition to the name of the deceased, this index should also show the inquest number as well as the monthly serial number. The Bureau does not, however, recommend the discontinuance of the present inquest record indexes.

Daily Time Reports Recommended.

Daily time reports showing time worked and record of work performed are not required of Coroner's physicians, deputy coroners, reporters or typists. Consequently, it is impossible to determine the amount of time these employes actually spend in the service of the Coroner. These employes should be required to render time reports which should show the actual time spent by the physicians and deputies on

each case handled from the time they leave the office until they return or until they quit for the day. Reporters should show in addition to the time spent at inquests, the time consumed in dictating their notes. The typists should show the actual time spent in writing up each case and the number of pages written. If such a system were installed it would be possible at the end of six months or a year to compile exact statistical information showing the volume of work performed by the various employes from which accurate deductions might be made as to the number of such employes actually needed in the service.

PRESERVATION OF EVIDENCE IN MURDER CASES.

A Coroner's physician is assigned to all murder cases. An "autopsy record" form, showing post mortem findings, is made out by the Coroner's physician who makes the post mortem examination. It is placed in an envelope and filed in a safety deposit box in a vault of the Coroner's office. When autopsies are held in other than murder cases, the physician writes his post mortem findings on a witness statement blank which is filed with the inquest papers.

The present administration has provided printed manikins for use in connection with this report by the physician who holds the autopsy. The physician marks on these pictures in red ink the location of the wound or wounds, or in cases of bullet wounds the points of entry and exit. The marked manikins are also enclosed in the envelope referred to above.

For use in connection with murder cases in which the killing was done by shot or bullet, small manila envelopes are provided in which the physician places the shot or bullet. The Bureau is informed that the bullet is placed in the envelope, and the envelope sealed by the physician in the Coroner's office in the presence of the Coroner or his chief deputy.

Each physician has for this purpose a seal bearing his initials. This envelope is marked "Coroner's office" and has printed headings with spaces for the name and address of deceased, date and contents. It also is filed with the records above mentioned. Tags showing the name of the case are attached to pistols and weapons of various kinds which are brought in, and which also are filed in safety deposit boxes in a vault in the Coroner's office.

This appears to be a splendid system. The weakness is that the Coroner's physicians are not prompt in turning in bullets which they extract from bodies. In fact, the evidence usually comes in covering several cases at a time and frequently as much as two weeks after autopsies are held. In the opinion of the Bureau, the failure of the physicians to turn in the evidence promptly, greatly impairs the value of a good system. The Bureau is informed that it is the custom of one of the physicians to turn in his autopsy record form only in murder cases, in which there is evidence such as weapons, bullets, etc. In murder cases where there are no exhibits, and in personal injury and suspicious cases, he keeps the autopsy forms on file at his home and makes an abbreviated statement of his findings on the Coroner's statement blank forms which are filed with the inquest papers. This physician states that he retains the autopsy record form which goes considerably more into detail than the statement which he turns into the Coroner's office in order to refresh his memory when called on to testify in such cases in court. This practice is open to serious question. The full data which the Coroner's physician preserves for possible use in later court proceedings should be filed in the Coroner's office, at the time of its preparation.

The Bureau recommends (1) that Coroner's physicians be required to turn in evidence in murder cases to the Coroner's office not later than the day following the date on which the autopsies are made; (2) that in all murder

and personal injury cases or suspicions cases, irrespective of whether or not there are exhibits in the way of evidence to be filed, autopsy records also be filed in the Coroner's office and not later than the day following the date on which the autopsies are held.

ISSUING OF DEATH CERTIFICATES BY CORONER'S PHYSICIANS.

Under the rules of the city health department, an undertaker is not allowed to bury a body until he has obtained a burial permit from the health department. And the Bureau is informed by the chief deputy coroner that in cases of sudden death a burial permit will not be issued unless there is presented a "certificate and record of death," signed by a physician who attended the deceased within forty-eight hours prior to death, or until the case has been passed on by the Coroner. When a death certificate is issued by a physician who was not in attendance on the deceased within forty-eight hours prior to death, the certificate is referred to the Coroner and a burial permit is not issued until the Coroner approves the death certificate or through one of his physicians issues a Coroner's death certificate.

Under this system the cases in which the Coroner issues or approves death certificates may be divided into three classes: (1) Infants under five years of age, where there is no evidence of infanticide; (2) very old people who die of senility; (3) medical cases where the physician is satisfied death resulted from natural causes due to some chronic ailment such as tuberculosis, etc. Requests for death certificates usually come to the Coroner from physicians, undertakers or the health department. These requests are passed on first by the chief deputy coroner. If he is satisfied from the statement of the doctor that death resulted from natural causes, he approves

the physician's death certificate, if one has been issued; if a death certificate has not been issued, or in case the doctor who reports the case states that he has not personally seen the deceased or from the report the chief deputy is not satisfied that death resulted from natural causes, he instructs one of the Coroner's physicians to make an investigation, and, if after viewing the body and questioning the relatives or friends, he thinks it necessary, to make a post mortem examination. If, as a result, the Coroner's physician is convinced that death resulted from natural causes, he has authority to issue a death certificate which the health department will accept and in exchange for which they will issue a burial permit. If he is not so convinced, he advises the chief deputy coroner and an inquest is held. The Bureau is informed by the chief deputy coroner that he personally approves on an average about eight or ten certificates per month or probably 100 per year. "The record of doctors' work" shows that the three Coroner's physicians issued 514 death certificates during the year 1910.

When a request comes to the Coroner's office for a death certificate and the chief deputy coroner decides that an investigation is necessary, an entry is made on the blotter and the Coroner's physician is notified. If the physician, after investigation, issues a certificate, that information is also entered on the blotter. From such entries postings are made to a book which contains a record of death certificates issued by the Coroner's physicians or issued by other physicians, and referred to the Coroner's office by the health department and approved by the Coroner or his chief deputy. This record shows the name of the deceased, by whom the death certificate was approved or by whom issued; there is also a column for remarks in which the cause of death is sometimes shown. There is another book called "The Record of Doctors' Work," which is also made up from the entries on the blotter. It shows the total number of death certificates issued and post mortem examinations held during each month.

The information contained on the blotter and the record of death certificates issued by the Coroner's physicians constitute all the data on file in the Coroner's office in regard to the individual cases in which death certificates are issued. There is absolutely nothing which shows the extent and thoroughness of the physicians' investigations, the number, names and addresses of witnesses interrogated and the facts brought out on which they based their findings and justified their actions in dispensing with inquests. It is true the certificate and record of death on file with the health department gives the family history and the cause of death, but it gives no supporting facts to show upon what the physician based his findings other than whether an "autopsy" or an "inquiry."

It was the custom many years ago under the administration of Coroner Henry L. Hertz, when Dr. L. Hektoen was Coroner's physician, to keep a more detailed record of all cases investigated by the Coroner's physician, whether inquests were held or certificates issued. The record was kept in a book called "Investigation Record." It showed the name of deceased, date case was investigated, place where investigated, cause of death, names of persons questioned and whether or not a post mortem examination or an inquest was held. The entries were made in the record by the Coroner's physician and signed by him and the Coroner. This record was begun in 1890 and apparently discontinued in 1894. In so far as the records of the physicians' work, with regard to cases where inquests were dispensed with and certificates issued, are concerned, the Coroner's office instead of making progress in recent years has retrograded, for the record of twenty years ago was far more complete than the one kept at present.

Under this system of issuing certificates, the physician is given a wide discretion and he should be required in all cases to make detailed reports showing the facts upon which he bases his findings so that they may be reviewed in the Cor-

oner's office and an opportunity given to detect an abuse of that discretion or to correct an unintentional error of judgment. The Bureau recommends that a form be drawn up designed expressly for the use of Coroner's physicians in cases where they issue death certificates and having printed headings with spaces to be filled out by the physicians giving a history of the case, names and addresses of witnesses examined, findings in cases where autopsies are held and including other detailed information necessary to show the scope of the investigation. The Bureau also recommends that from these reports an annual statistical report be compiled covering cases in which Coroner's physicians issue certificates. Among other information this statistical report should show the total number of certificates issued, cause of death and the age, sex, social condition and nativity.

APPENDIX

I.

POSSIBLE SAVING IN COST OF INQUESTS AT THE MORGUE IF JURORS HAD BEEN PAID BY THE DAY INSTEAD OF BY THE CASE.

	No. of Payrolls for Serv- ices Ren- dered During Month.	Cost to County as per Payrolls at \$1 per Case per Juror.	No. of Days on Which Inquests Were Held.	Would Have Cost County for 14 Jurors 1 Day a Week and 7 Jurors 5 Days a Week at \$2.10 a Day.	Saving Which Could Have Been Effectuated if Jurors Had Been Paid on a Per Diem Basis.	Per Cent.
					Money	
1911.						
March	104	\$786	24	\$470.40	\$315.60	40
April	100	780	21	426.30	353.70	45
May	84	636	19	470.40	165.60	26
June	94	708	19	455.70	252.30	36
July	96	762	18	441.00	321.00	42
August ...	82	696	24	470.40	225.60	32
Totals ..	560	\$4,368		\$2,734.20	\$1,633.80	37

The cost figures given in the above calculations are based upon the actual cost of holding inquests at the morgue from March 1 to August 31, 1911, as per duplicate payrolls on file in the Coroner's office. The rate, \$2.10, used in the estimated cost is the per diem rate paid jurors sent by the County Court to serve on insane cases at the Detention Hospital.

II.

**NUMBER OF TIMES DEPUTY CORONERS' UNOFFICIAL CLERKS
SERVED ON JURIES IN THE MONTHS OF
MARCH AND AUGUST, 1911.**

CLERKS.	MARCH		AUGUST		
	Number of Hearings Held by Deputy.	Number of Times His Clerk Served.	Number of Hearings Held by Deputy.	Number of Times His Clerk Served.	Number of Times Clerks Served with All Deputies.
A	41	41	35	35	45
B	44	44	30	17	21
C	49	46	35	16	31
D	40	38	34	31	31
E	45	39	22	17	29
F	43	37	32	23	27
G	45	23	38	30	35
H	40	18	35	22	26
I	48	14	34	17	24
J	*	..	36	34	39
Totals....	395	300	331	242	308
Percentage of Juries on Which Clerks Served		76	73		

During the month of March there were twenty-six homicide cases and forty-one transportation accident cases; of the former, clerks served on nineteen, or 73 per cent., and of the latter on twenty-three, or 56 per cent.

It is not an unusual thing for two deputy coroners' clerks to serve on the same jury. This happens in cases where a deputy has no assignment and his clerk, therefore, is at leisure. In the last column of the above tabulation is shown the number of times the clerks served with all deputies during the month of August. A coroner's jury consists of six jurors. It will be noted that on the 331 juries in August out of a possible 1,986 jurors, 308, or 15 per cent., were deputies' clerks.

* There were only nine deputy coroners holding inquests in March.

III.

**NUMBER AND MOST IMPORTANT CLASSES OF CASES (INQUESTS)
HELD BY THE CORONER FROM MARCH 1, 1911, TO
AUGUST 31, 1911, AND NUMBER COVERED
BY CORONER'S REPORTERS.**

Cause of Death—	No. of In- quests Held.	Percentage of Cases	
		No. Covered by Coroner's Reporters.	Covered by Cor- oner's Reporters.
Transportation Accidents—			
Chicago Railways Co....	47	1	2
Chicago City Railway Co.	33	3	10
C. & N. W. Ry. Co.....	24	4	17
C., M. & St. P. Ry. Co..	19	4	21
Ill. Cent. Railroad Co....	26	26	100
C., R. I. & P. Ry. Co....	11	8	73
C., B. & Q. Ry. Co.....	12	4	33
Thirty other Trans. Cos..	81	42	52
<hr/>			
Total trans. cases...	253	92	36
Homicides	119	104	86
Automobile accidents	38	38	100
Abortions	39	31	80
Wagon accidents	40	24	60
Elevator accidents	19	10	53
Electrocutions	28	14	50
Falling objects	37	11	30
Falls	179	50	28
Burns and scalds.....	84	9	11
Drownings	129	11	9
Suicides	269	10	4
Heat prostrations	138	3	2
Natural causes	974	17	2
All other causes.....	320	51	16
<hr/>			
Totals	2,666	475	18

IV.

**CLASSES OF CASES WHICH IN THE OPINION OF THE BUREAU
SHOULD BE COVERED BY CORONER'S REPORTERS; ALSO
THE NUMBER OF THESE CASES HANDLED IN 1910,
AND THE APPROXIMATE PERCENTAGE COVERED
BY CORONER'S REPORTERS.**

Cause of Death—	No. such cases Handled by Coroner in 1910.	Approximate Percentage Covered by Coroner's Reporters.
Homicides	203	86
Transportation accidents	577	36
Industrial accidents	287	72
(Including— Suffocated by gases, Burned by metal, Scalded by hot water, Killed in elevator, Caught in machinery, Building collapse, Electrocutions, Explosions, Struck by falling objects, Falling down elevator shaft, Falling off his own wagon, Falling down ladder, Falling scaffold, etc.)		
Abortions	62	80
Automobile accidents	52	100
Wagon accidents	56	60
Totals	1,237	59
Percentage which should be covered.....		100

In cases not classed as industrial, but in which the causes of death are similar to those enumerated under industrial accidents and in which a civil liability may exist; and in cases in which death was supposedly due to suicide or accidental drowning, shooting, cutting or poisoning, etc., the question of assigning reporters should be determined by the coroner in the light of the circumstances surrounding each particular case. Manifestly no hard and fast rule can be laid down; but the determining factor

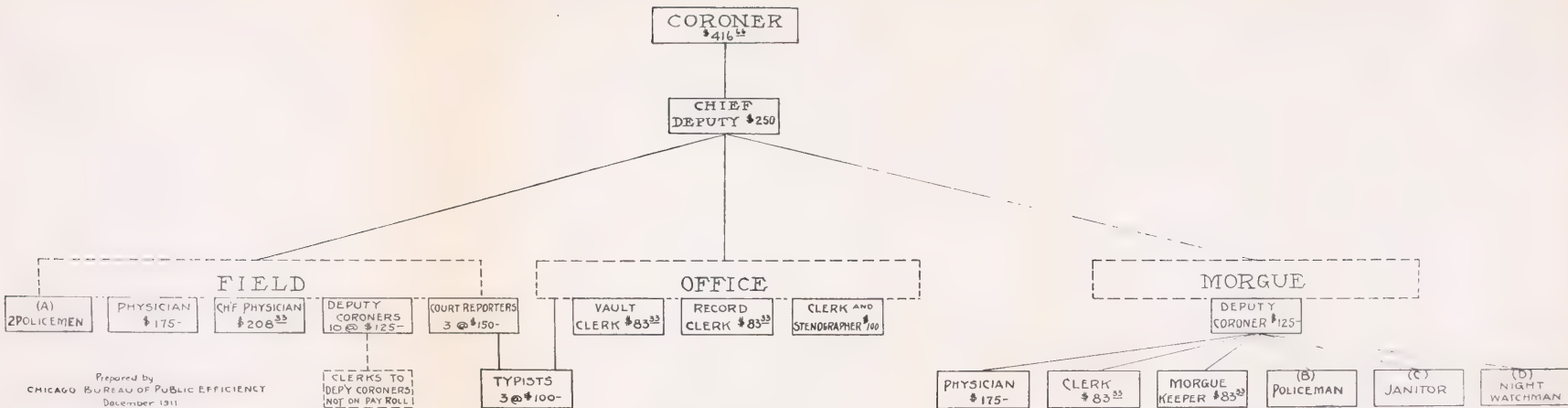
should be in the first class of cases whether or not the information at hand indicates the probable existence of a civil liability; and in the second whether or not the circumstances reported lead to a suspicion that a crime may have been committed. In addition to those classes of cases mentioned, many others will, of course, arise from time to time where it will be necessary for the coroner, as is his present custom, to exercise his judgment.

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(A) and (B) carried on payroll of City police department
(C) and (D) carried on payroll of County hospital

CORONER
(COOK COUNTY, ILLINOIS.)
Chart of Organization Showing Lines of Authority and Monthly
Rates of salary.

THE
OFFICE OF CORONER
IN NEW YORK CITY

Summary of the Findings of the Commissioner
of Accounts in an Investigation of the Office,
and Text of an Act Abolishing the Same
and Creating the Office of Chief
Medical Examiner

1916

THE NEW YORK SHORT BALLOT ASSOCIATION
381 FOURTH AVENUE, NEW YORK CITY

Investigation of the Office of Coroner in New York City by the Commissioner of Accounts

— 1914 —

SUMMARY OF FINDINGS.

The elective coroner in New York City represents a combination of power, obscurity and irresponsibility which has resulted in inefficiency and malfeasance in the administration of the office.

With constant temptation and easy opportunity for favoritism and even extortion, with utter lack of supervision and control, and without the slightest preparation and training to create in the coroner's mind a scientific and professional interest in the performance of his duties, the present system could not have been better devised intentionally to render improbable, if not impossible, the honest and efficient performance of the important public function entrusted to his office.

Of the 65 men who have held the office of coroner since consolidation, not one was thoroughly qualified by training or experience for the adequate performance of his duties.

The coroner should not be an elective officer, since he has no questions of public policy to settle.

Candidates for coroner are nominated "to balance the ticket," to represent a given race, religion, class, political faction or geographical portion of the city. Thus, almost every consideration except qualification for the position determines his choice.

Many of the coroners are absurdly ignorant both as to the legal and the medical aspects of their work.

The type of man usually elected to the office of coroner is entirely unfit for the exercise of judicial functions, as shown by the general practice of establishing compromising relations with corporations and others who are frequently involved in litigation before the Coroners' Court.

Many of the coroners admit the general unfitness of the elective coroner.

Most of the coroners' physicians in New York City have been drawn from the ranks of medical mediocrity.

From the frequent admission of mistakes or of inability to sustain their medical conclusions, it is clear that such conclusions are without scientific validity.

Some of the coroners' physicians have favorite causes of death which, without the shadow of reason, they are in the habit of assigning in cases of doubt.

The character of their medical examinations may be judged from the fact that the keeper of the morgue testified that they often merely look at the head of the body and that an examination lasting five minutes was an infrequent occurrence.

Several of the coroners either admit the complete inadequacy of the medical work of the coroners' physicians or entirely distrust them.

The coroners' physician under the present system is a law unto himself and is subject to no continuous or effective control.

Such disciplinary power as the Manhattan Board of Coroners possesses over its physicians has been used, not to improve the character of their medical work, but rather to harass and embarrass the most competent of all their physicians.

One coroner's physician concedes that the coroner's physician "does about as he pleases with little thorough supervision of a higher authority to hold him up to the high standard that he should be held up to. I want to plead guilty and throw myself on the mercy of the court."

A serious result of this lack of supervision is that it facilitates extortion by coroners' physicians.

The coroners' physicians not infrequently use as the statement of causes of death terms which modern science has rejected as meaningless.

Far from being of assistance, the death certificates of the coroners' physicians introduce a large degree of error into the vital statistics of the city.

The continued incompetence of coroners' physicians has compelled the Health Department to accept from them certificates of death which it would not accept from physicians in private practice.

Many of the coroners' physicians on the witness stand showed not the slightest concern as to any effect which their work had upon the city's vital statistics.

An analysis of 800 inquisition papers made by Deputy Health Commissioner Emerson finds that in 320 cases, or forty per cent. of those examined, there is a complete lack of evidence to justify the certified cause of death.

The incompetent medical work of the coroners' physicians persists in the investigation of criminal deaths and deprives the community of an absolutely necessary deterrent to crime.

Numerous homicides have undoubtedly failed of detection by reason of this fact.

So far as the activity of the coroners' office in New York City is concerned, infanticide and skillful poisoning can be carried on almost with impunity.

Under the elective coroners' system, and in the face of exceedingly difficult conditions surrounding successful criminal prosecution, New York City is compelled to get along virtually without aid from the science of legal medicine, a situation which exists in no other great city in the world.

At least one coroners' physician has no conception of the functions of his office, denying that it is part of his function in first instance to detect crime by medical examination.

The system of coroners' juries, both as to law and practice, makes the administration of justice in the Coroners' Court a scandal and a farce.

Coroners' juries can readily be and actually have been packed with friends of defendants before them.

The system of coroners' juries offers a ready means of petty extortion.

Many of the coroners themselves admit that the coroners' jury is utterly mischievous and should be abolished.

The records kept by the coroners' office are meagre, uninforming and practically valueless.

In criminal prosecutions the district attorney usually receives no adequate medical data whatever.

In the most important criminal trials, coroners' physicians frequently testify only from memory.

Though the coroners' records in all cases of suspected crime are required by law to be filed forthwith with the district attorney, yet in the month of July, 1914, after this investigation was under way, the Board of Coroners of the Borough of Manhattan filed for the first time with the district attorney of New York County inquisition papers in 431 cases involving possible criminality. Sixty-three of these were over three years old and nearly 200 were over one year old.

In order to obtain effective performance of the work which the coroners' office should do, the district attorneys of New York and Kings Counties have organized homicide bureaus in their own offices.

These bureaus make complete and independent investigation in each case. Through long experience they have come to pay practically no attention to the coroners' investigations, findings or conclusions.

On the contrary, the district attorneys' investigations are sometimes impeded by the bungling interference of the coroner.

In the field of criminal abortion, far from serving to detect crime, the coroners' system has become an agency for shielding defendants and concealing criminality.

The same features of the coroners' system which invite this malfeasance invite similar malfeasance in other fields of crime.

In connection with abortion cases, coroners have called or failed to call juries as best suited their purposes, have packed juries, have intentionally failed to call necessary witnesses, or to cause police investigation or to utilize the results of such investigation when made.

Where the available facts have fairly indicated that death was due to criminal abortion, coroners have without further investigation attributed death to causes unknown.

The conduct of Coroner Hellenstein in connection with such cases has been particularly scandalous.

Coroners have abused their powers to compel the employment of favored undertakers by the unfortunate families of deceased persons. with favored undertakers for the purpose of facilitating their employment

Subordinates in the Coroners' Office have made disgusting alliances in coroners' cases.

Civil rights and liabilities have been profoundly affected by the findings of the coroner, whose action in many cases has been a travesty on justice.

Attempts have not infrequently been made to extort sums of money from insurance companies in return for findings in the companies' interest.

Until the enactment of the Workmen's Compensation Law the coroner has scandalously injured the rights of deceased workmen and has helped to make for employing corporations cases which would relieve them of liability for their workmen's deaths.

The Coroners' Office is over-manned with unnecessary and political subordinates at salaries grossly in excess of the value of their services.

The position of private clerk to a coroner is a political sinecure.

No office supported out of the city treasury has been more loath to establish any system of efficiency records by which could be measured the amount and efficiency of work rendered.

The chief clerk of the Board of Coroners for the Borough of Manhattan is a political leader, maintained out of the public treasury, who renders practically no official service.

Many petty grafts and abuses have become prevalent among employees of the coroners' system.

The maintenance of the present coroners' system is a sheer waste of public money amounting to over \$172,000 per year.

It cost the city \$11,000 a year to pay for the services of a single unqualified coroner, his mediocore physician and his personal clerk, who spends most of his time on his own private affairs.

That the elective coroners' system is inevitably productive of great abuse is likewise demonstrated by the experience of other communities, which have abolished or attempted to abolish similar systems.

The abuses disclosed by this investigation have been found time and again in this city and previous attempts to remove them by the abolition of the coroner's system have been defeated from purely selfish political considerations.

The present coroners' system cannot be continued in this city except as a public scandal and disgrace.

It should be abolished immediately.

There is no legal or moral bar to such immediate abolition, and such abolition is amply sustained by precedent.

The responsibility for criminal investigation should be placed completely in the hands of the district attorneys and the police.

The scandalous jury system and the coroners' court should be entirely eliminated.

The magisterial functions of the coroner should be entrusted to the judiciary.

A competent system of medical examination should be established. In devising such a system no experiment is necessary. The success of the medical examiner system of Massachusetts is beyond question, and offers a plan upon which a new system in this city may be erected with every assurance of success.

The new system should be manned by skilled and experienced pathologists, the chief of whom should be appointed by the mayor as the result of a non-assembled competitive examination.

Such a system of medical investigation will save the city at least \$50,000 a year.

It will insure the termination of the present ignorant, inefficient and even corrupt performance of the coroners' function, and for the first time in the city's history, it will invoke in the protection of the community the science of legal medicine.

AN ACT

To amend the Greater New York charter, and repeal certain sections thereof and of chapter four hundred and ten of the laws of eighteen hundred and eighty-two, in relation to the abolition of the office of coroner and the establishment of the office of chief medical examiner.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The office of coroner in the city of New York shall be abolished on January first, nineteen hundred and eighteen, and after this section takes effect, a vacancy occurring in such an office in any borough shall not be filled unless by reason of the occurrence thereof, there shall be no coroner in office in such borough, in which case the vacancy in such borough last occurring shall be filled for a term to expire on January first, nineteen hundred and eighteen. If, by reason of the provisions of this section, the number of coroners in a borough be reduced, the remaining coroner or coroners in such borough shall have the powers and perform the duties conferred or imposed by law on the board of coroners in such borough.

Section 2. Title four of chapter twenty-three, sections fifteen hundred and seventy and fifteen hundred and seventy-one of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one, is hereby repealed, and in its place is inserted a new title to be numbered four and to read as follows:

TITLE IV.

Chief Medical Examiner.

Section 1570. Organization of office; officers and employees.

1571. Violent and suspicious deaths; procedure.

1571-a. Autopsies; findings.

1571-b. Report of deaths; removal of body.

1571-c. Records.

1571-d. Oaths and affidavits.

Organization of Office; Officers and Employees.

§ 1570. There is hereby established the office of chief medical examiner of the city of New York. The head of the office shall be called the "chief medical examiner." He shall be appointed by the mayor from the classified service and be a doctor of medicine, and a skilled pathologist and microscopist.

The mayor may remove such officer upon stating in writing his reasons therefor, to be filed in the office of the municipal civil service commission and served upon such officer, and allowing him an opportunity of making a public explanation. The chief medical examiner may appoint and remove such deputies, assistant medical examiners, scientific experts, officers and employees as may be provided for pursuant to law. Such deputy medical examiners, and assistant medical examiners, as may be appointed, shall possess qualifications similar to those required in the appointment of the chief medical examiner. The office shall be kept open every day in the year, including Sundays and legal holidays, with a clerk in constant attendance at all times during the day and night.

Violent and Suspicious Deaths; Procedure.

§ 1571. When, in the city of New York, any person shall die from criminal violence, or by a casualty, or by suicide, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious or unusual manner, the officer in charge of the station house in the police precinct in which such person died shall immediately notify the office of the chief medical examiner of the known facts concerning the time, place, manner and circumstances of such death. Immediately upon receipt of such notification the chief medical examiner, or a deputy or assistant medical examiner, shall go to the dead body, and take charge of the same. Such examiner shall fully investigate the essential facts concerning the circumstances of the death, taking the names and addresses of as many witnesses thereto as it may be practical to obtain, and, before leaving the premises, shall reduce all such facts to writing and file the same in his office. The police officer so detailed shall, in the absence of the next of kin of deceased person, take possession of all property of value found on such person, make an exact inventory thereof on his report, and deliver such property to

the police department, which shall surrender the same to the person entitled to its custody or possession. Such examiner shall take possession of any portable objects which, in his opinion, may be useful in establishing the cause of death, and deliver them to the police department.

Nothing in this section contained shall affect the powers and duties of a public administrator as now provided by law.

Autopsies; Findings.

§ 1571-a. If the cause of such death shall be established beyond a reasonable doubt, the medical examiner in charge shall so report to his office. If, however, in the opinion of such medical examiner, an autopsy is necessary, the same shall be performed by a medical examiner. A detailed description of the findings written during the progress of such autopsy and the conclusions drawn therefrom shall thereupon be filed in his office.

Report of Deaths; Removal of Body.

§ 1571-b. It shall be the duty of any citizen who may become aware of the death of any such person to report such death forthwith to the office of the chief medical examiner, and to a police officer who shall forthwith notify the officer in charge of the station-house in the police precinct in which such person died. Any person who shall wilfully neglect or refuse to report such death or who without written order from a medical examiner shall wilfully touch, remove or disturb the body of any such person, or wilfully touch, remove, or disturb the clothing or any article upon or near such body, shall be guilty of a misdemeanor.

Records.

§ 1571-c. It shall be the duty of the office of medical examiner to keep full and complete records. Such records shall be kept in the office, properly indexed, stating the name, if known, of every such person, the place where the body was found and the date of death. To the record of each case shall be attached the original report of the medical examiner and the detailed findings of the autopsy, if any. The office shall promptly deliver to the appropriate district attorney copies of all records relating to every death as to which there is, in the judgment of the medical

examiner in charge, any indication of criminality. All other records shall be open to public inspection as provided in section fifteen hundred and forty-five. The appropriate district attorney and the police commissioner of the city may require from such officer such further records, and such daily information, as they may deem necessary.

Oaths and Affidavits.

§ 1571-d. The chief medical examiner, and all deputy or assistant medical examiners, may administer oaths, and take affidavits, proofs and examinations as to any matter within the jurisdiction of the office.

Section 3. Section eleven hundred and seventy-nine of such charter is hereby amended to read as follows:

Bureaus.

§ 1179. There shall be two bureaus in the department of health. The chief officer of one bureau shall be called the "sanitary superintendent," who, at the time of his appointment, shall have been, for at least ten years, a practicing physician, and for three years a resident of the city of New York, and he shall be the chief executive officer of said department. The chief officer of the second bureau shall be called the "registrar of records," and in said bureau shall be recorded, without fees, every birth, marriage, and death which shall occur within the city of New York.

Section 4. Section twelve hundred and three of such charter is hereby amended to read as follows:

Medical Examiners' Returns.

§ 1203. The department of health may, from time to time, make rules and regulations fixing the time of rendering, and defining the form of returns and reports to be made to said department by the office of chief medical examiner of the city of New York, in all cases of death which shall be investigated by it; and the office of the chief medical examiner is hereby required to conform to such rules and regulations.

Section 5. Section twelve hundred and thirty-eight of such charter is hereby amended to read as follows:

Deaths to be Reported.

§ 1238. It shall be the duty of the next of kin of any person deceased, and of each person being with such deceased person at his or her death, to file report in writing, with the department of health within five days after such death, stating the age, color, nativity, last occupation and cause of death of such deceased person, and the borough and street, the place of such person's death and last residence. Physicians who have attended deceased persons in their last illness shall, in the certificate of the decease of such person, specify, as near as the same can be ascertained, the name and surname, age, occupation, term of residence in said city, place of nativity, condition of life; whether single or married, widow or widower; color, last place of residence and the cause of death of such deceased persons, and the medical examiners of the city shall, in their certificates, conform to the requirements of this section.

Section 6. Such charter is hereby amended by inserting therein a new section, to be numbered section fifteen hundred and eighty-five-a, and to read as follows:

County Clerks to Exercise Certain Statutory Powers and Duties of Coroners.

§ 1585-a. In the city of New York the powers imposed and the duties conferred upon coroners by the provisions of title three of chapter two of the code of civil procedure shall be exercised and performed by the county clerk of the appropriate county, and said county clerk shall, in the exercise and performance thereof, be subject to the same liabilities and responsibilities as are prescribed in such title in the case of coroners.

Section 7. Sections seventeen hundred and sixty-six to seventeen hundred and seventy-nine, both inclusive, of chapter four hundred and ten of the laws of eighteen hundred and eighty-two, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York," and all acts amending such sections, are hereby repealed.

Section 8. The officers and employees now exercising the powers and duties which by this act are abolished, or are conferred or imposed upon the office of chief medical examiner, including coroner's physicians, shall be transferred to the office of chief medical examiner. Service in the office, board or body from

which transferred shall count for all purposes as service in the office of the chief medical examiner.

Section 9. All funds, property, records, books, papers and documents within the jurisdiction or control of any such coroner, or such board of coroners, shall, on demand, be transferred and delivered to the office of the chief medical examiner. The board of estimate and apportionment shall transfer to the office of the chief medical examiner all unexpended appropriations made by the city to enable any coroner, or board of coroners, to exercise any of the powers and duties which by this act are abolished or are conferred or imposed upon such office of chief medical examiner.

Section 10. Section one of this act shall take effect immediately. The remainder of the act shall take effect January first, nineteen hundred and eighteen.

The Judges and the County Fee Offices

Statement to the Tax Payers of
Cook County by the Chicago
Bureau of Public Efficiency

THE JUDGES AND THE COUNTY FEE OFFICES

Statement to the Tax Payers of Cook County by the
Chicago Bureau of Public Efficiency

To the Taxpayers of Cook County:

Public revenues are being wasted on useless officials. The Judges of the Circuit Court of Cook County, upon whom is imposed by the constitution the duty of fixing the number of employes in the county fee offices, have failed in their duty. They are consenting to further unnecessary additions to the county payrolls.

For several months the Chicago Bureau of Public Efficiency, supported solely by the voluntary contributions of public spirited citizens, has been engaged in the study of the so-called fee offices. A report on the recorder's office was submitted to the judges last September. The study of the county treasurer's office had to be abandoned temporarily, because of the hostile attitude of Treasurer O'Connell. The judges took no steps whatever to assist the Bureau in overcoming Treasurer O'Connell's opposition to the inquiry, notwithstanding the fact that it was undertaken in accordance with formal action of the judges accepting the offer of the Bureau to make these investigations for their use and information. Last week the judges allowed Treasurer O'Connell eight additional employes, despite indications that his office is wastefully managed, and in face of the obvious inference to be drawn from the fact that he had prevented the making of a report on his office in time to be of use in fixing the number of employes for 1912.

Advance sheets of the reports on the offices of coroner, sheriff and clerks of the circuit and superior courts were in the hands of the committee of judges—consisting of Judges Baldwin, Smith and Walker—before the order fixing the number of

employees for 1912 was approved by the court, which was on Friday last. The report on the coroner's office was submitted to the committee of judges on Tuesday, December 12, and was given to the public the next day. A typewritten copy of the report on the sheriff's office was submitted to the committee on Wednesday, with the explanation that copies were not then available for the press or for public distribution. The report on the offices of clerk of the circuit court and clerk of the superior court was submitted in like manner Thursday morning. The sheriff and the court clerks each had been supplied with a copy of the report dealing with his particular office.

The Chicago Bureau of Public Efficiency recommended a reduction of fifteen in the staff of the circuit court clerk. No reductions were ordered by the judges.

The Bureau recommended a reduction of 13 in the staff of the superior court clerk. This recommendation took into account the fact of the increase in the number of judges. In the face of this recommendation, the judges actually increased the number of employees by 10.

The Bureau recommended that the sheriff's staff be reduced by the elimination of the assistant sheriff and four deputy sheriffs. It took the position that no additional bailiffs were needed to take care of the additional work caused by the increase in the number of judges. The judges ordered no reductions, but on the contrary gave the sheriff ten additional bailiffs.

The Bureau recommended one additional employee for the coroner. The judges gave him four.

In its report on the recorder's office, the Bureau pointed out that two additional employees were required for certain work, but there need be no net increase in the number, because there were two unnecessary men in other divisions of the office. The recorder asked for one additional employee. A group of citizens came forward with a request that the recorder be given seven more employees than he had asked for. At the hearing before the judges, the recorder gave perfunctory support to this plea. The judges ordered the number of employees in the recorder's office increased by six. There were special reasons why the recorder hesitated to antagonize on this proposition the group of citizens that urged the increase in his staff. The Bureau is satisfied that neither the recorder nor his chief deputy believes the increase to be necessary.

In the report submitted to the court by the committee of

judges, the Bureau of Public Efficiency was complimented on its painstaking work in the study of the fee offices and the preparation of reports thereon. But no attention whatever was paid by the judges to the recommendations made, in so far as they affected the number of employes. It was said the reports came in too late to influence action this year, but that statement could not possibly apply to the report on the recorder's office, for it was submitted to the judges three months ago. Possibly the judges were justified in hesitating to put into immediate operation all the reductions that involve reorganization, and the substitution of modern for antiquated methods, such as the use of typewriters in place of longhand writing in record work. But why should they authorize further, and in some cases large, increases in the absence of better proof than was forthcoming as to the need for the additional employes? Why should the judges listen to the plea of interested office-holders only, and pay no heed to representatives of tax-paying citizens?

It is time for the people of Cook County to wake up and demand that the waste of public funds be stopped.

If they can legally do so, the Judges of the Circuit Court ought to reconsider their order of December 15th fixing the number of employes in the fee offices subject to their control and eliminate practically all of the increases that have been allowed.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

By the Executive Committee:

JULIUS ROSENWALD,
GEORGE G. TUNELL,
ALFRED L. BAKER,
CHARLES E. MERRIAM.

Chicago, Dec. 19, 1911.

Report of Committee of Judges to the Circuit Court of Cook County

STATE OF ILLINOIS, }
COOK COUNTY. } ss.:

IN THE CIRCUIT COURT OF COOK COUNTY.

In the Matter of the Application of Certain
County Officers for Assignment of Help.

REPORT OF SPECIAL COMMITTEE,

to which was referred the matter of the application of certain county officials for the assignment of help in their respective offices for the ensuing year.

To the Judges of the Circuit Court of Cook County:

The undersigned, the committee heretofore appointed by you to receive and consider the application of certain county officials for the assignment of help in their respective offices, and to report to you our conclusions thereon, beg leave to submit the following report.

That on November 1, 1911, an order was entered in the Circuit Court, signed by the Chief Justice thereof, directing the several county officials affected by Section 9 of Article 10 of the Constitution of the State of Illinois, to file with the clerk of said court their several applications for help on or before November 20, 1911, and to deliver a copy thereof to each judge of said court.

Owing to the fact that the judges of the Circuit Court accepted, under date of March 3, 1911, an offer made to them by the Chicago Bureau of Public Efficiency to prepare reports on the fee offices of Cook County, which reports, it was believed, would be available for their use by December 1, 1911, and from the fact that the Bureau was continually conducting a very exhaustive examination in furtherance of their offer, we have made no personal inspection of the offices covered by this report. Such an inspection, if made by us, without an appropriation, without facilities, or the necessary time, would, at best, be perfunctory in its nature,—and of little value.

The painstaking and carefully prepared initial report compiled by the Bureau, covering the office of Recorder, which was submitted to the judges in September, led us to believe that the often discussed question as to the amount of help needed by the different county fee offices each year, would at last find a basis for proper settlement.

But the task undertaken was enormous, and the fact that reports of only five of the nine fee offices are at hand—that of the Recorder, the Coroner, the Sheriff, the clerk of the Circuit Court, and the clerk of the Superior Court—the last four received by us since Monday, and only in rough draft, while not reflecting discredit on the Bureau, makes more apparent the magnitude of their work.

However, the work done by the Bureau of Efficiency will not be wasted, but will afford a basis for discussion and adjustment of the necessary help for the county offices in the future. Many of the recommendations of these five reports, which we have received, have been conveyed to the different officials affected, and in most cases, when these officials were before us, they expressed their approval of the conscientious work done by the Bureau of Efficiency, and its undoubted value to them and the public at large. Indeed, the Coroner stated unequivocally to the Committee that he intended to carry into effect the various recommendations made by the Bureau, and the help we have allotted him has been with reference to his doing so.

The recommendations of the Bureau, especially as to changes in the Sheriff's office, and as to those of the clerks of the Superior and Circuit Courts, contemplate quite a radical reorganization of the present methods of doing business, and make suggestions which we do not feel at liberty at this time to adopt.

It should be remembered that these various county officials are elected by and are accountable to the people for the administration of their offices, so long as they are conducted within the law. The duty of passing upon the number of employes necessary to perform the work devolving upon these respective offices rests upon the judges of the Circuit Court, but it may be doubted whether that duty or right extends to the length of permitting us to require these elective officials to adopt entirely new methods of doing the business of their offices or to reorganize their forces in accordance with the suggestions made by the Bureau of Efficiency. In any event, these suggestions have been received by us too late to allow the necessary time to fully discuss their merits by the representatives of the Bureau and the various officials to be affected, and to sufficiently inform the judges as to the practicability of enforcing the recommendations of the Bureau, even if the Committee had the power. In fact, none of the judges, other than the members of this Committee, have even seen the last four reports of the Bureau. We feel confident that much good is to come from these painstaking and efficient investigations by the Bureau; that during the year to come, before the judges have again to pass upon the matter of methods for the various county offices, these recommendations can be thoroughly discussed with all the parties interested, full publicity being given to them and to investigations and discussions, so that by another year such recommendations may be made as will incorporate the final and best judgment of the judges.

It is not impossible that if any county official should decline to follow recommendations of the character indicated after they had been fully discussed, and such recommendations were so clearly in the interest of the public, and the proper administration of the various offices, in that the work of the office could be as well performed with a much less number of employes, that the judges might decide to recommend only the smaller number of employes that would be necessary to adequately discharge the duties of the office under the most approved methods.

We, therefore, express the hope that this Bureau of Public Efficiency will continue and complete the work so efficiently begun.

In the present inquiry, we have carefully compared the work of the

office as reported during the past three years, and have studied the recommendations of the two previous committees—which work we have supplemented by the taking of personal testimony in public of each separate official affected, and in most cases also by that of his chief clerk. For the lack of a report such as that contemplated by the Bureau, we have taken this testimony as the best evidence obtainable—directly from the persons most vitally concerned, and although we are unable to concur in some of their deductions, great weight must be given their testimony, more especially as some of the officials report that the work of their office is at present behind in various particulars. Another matter which we have considered is the fact that the personnel of the majority of the offices with which we have to deal changed during the past year, and that much of the help in these offices is therefore comparatively inexperienced.

An inspection of the reports and applications show a gradual, though varying, increase in the amount of business transacted in the several offices, and a request for assignment of help for the ensuing year as follows:

Clerk of the Circuit Court:

From the fact that the report of the clerk of the Circuit Court shows a gradual increase in business, we recommend that his request for the same amount of help as allowed him last year be granted; but that, as ex officio clerk of the Juvenile Court, he be allowed one efficient and capable stenographer (to be assigned to the exclusive service of the judge of the Juvenile Court), in addition to the help granted him for that branch of his work last year.

We commend his practice of reporting a return to the county of the interest on "Trust Fund" and daily receipts of his office, as set out in his report.

Clerk of the Superior Court:

The report of the clerk of the Superior Court shows a gradual increase in the amount of business transacted, and presents a request for an allowance of fifteen clerks in addition to the present staff, on account of the election of the six new judges whose places were created by statute last spring.

Basing our observations upon the testimony of the clerk and his chief deputy—upon a comparison of the business transacted in the Superior and Circuit Courts during the past three years, upon the fact that about two of the newly elected judges will take the places of country judges, who sat 607 days in the Superior Court during the past year, and upon the further fact that a portion of their time may be spent in the Criminal or Appellate Courts, we believe that the increased business of the office can be well cared for by a smaller number than requested, and therefore recommend that ten instead of fifteen clerks in addition to the present staff be granted.

Clerk of the County Court:

Inasmuch as the report of the clerk of the County Court shows a perceptible increase in the amount of business done, we recommend that his

request for the same amount of help that he has at present be granted (which includes, in addition to those allowed him last year, two additional clerks allowed in June, 1911).

Clerk of the Probate Court:

The report of the clerk of the Probate Court shows a small increase in the business transacted and requests three additional clerks or accountants for work upon the numerous fee books of the office, and one confidential clerk, who shall be exempt from civil service.

After carefully considering the very exhaustive report made by an expert accountant in regard to these fee books in 1909, and taking into account the fact that additional clerks were granted partly to take care of this matter last year, and that the business of the office shows no such increase in itself as to warrant placing more men upon these books, we do not feel justified in recommending but one additional clerk for the use of the clerk.

We have before us a request made by the Hon. Charles S. Cutting, Judge of the Probate Court, for a confidential clerk or private secretary at a salary not exceeding \$1,500 per year, who understands probate procedure, so as to answer letters, questions, and advise in regard to court matters parties who insist upon seeing the judge. Adequate reasons are presented for this request, among others, that it would save the time of a clerk of the Probate Court who is now helping to do such work, but particularly in the saving of Judge Cutting's time for the county, and we recommend that the clerk of the Probate Court be allowed one additional capable clerk, who may be a stenographer, and who shall be satisfactory to and assigned to the exclusive service of the judge of the Probate Court.

Clerk of the Criminal Court:

The report of the clerk of the Criminal Court shows a very slight increase in the amount of business transacted and requests two additional indictment record writers for emergency and general office work and a private secretary, in lieu of the two to six extra men (averaging three), which are now granted him. In view of the new law providing for a system of probation for persons found guilty of certain defined crimes, etc., which necessitates the keeping of a number of extra records in his office and the fact that this request does not really involve additional help, we recommend that the allowance of two to six extra men (averaging three) be discontinued, and that he be allowed the two indictment record writers and an additional clerk in addition to the remainder of his present force.

Coroner:

The report of the Coroner shows a gradual increase in the amount of work done by his office, and requests one additional court reporter and one additional typist, so as to enable him to cease accepting transcripts of testimony in personal injury cases from stenographers in the pay of public service corporations, who are parties in interest, and also an additional physician, so as to properly care for the large amount of work which his present force of three physicians are unable to handle.

From the facts and figures presented by the Coroner's report and his

testimony before the Committee, we believe that the additional physician is needed, and that the evil practice above named, which was fully gone into and reported by your 1909 Committee, can only be discontinued by the stenographer and typist asked for, and we, therefore, recommend that a stenographer, a typist and a physician, be granted the Coroner, in addition to his present allowance.

A subsequent letter submitted to the Committee by the Coroner emphasizes the fact that in order to be able to follow a number of the suggestions of the report upon his office of the Bureau of Public Efficiency he must needs be allowed an additional clerk to enable him to perform the matters set out, and we recommend, therefore, that besides the recommendations made above one additional clerk be granted.

The Committee further approves and adopts the following recommendations made by the Chicago Bureau of Public Efficiency and further recommends:

1. That the Coroner requests the County Board for an appropriation for transportation for his own use and for that of his deputies in the discharge of their respective official duties.
2. That the use of passes by the deputy coroners and attaches of the office be prohibited.
3. That the use of "unofficial clerks" by the deputy coroners be discontinued.
4. That the use of "professional" jurors be discontinued as far as possible.
5. That the pay checks of jurors be changed to a form which will be acceptable at any bank.
6. That the scalping of jurors' checks or certificates be prohibited the deputy coroners and attaches of the office.
7. That an "investigation record," accurately showing the work of the office, somewhat similar to that kept by Dr. Hektoen, while coroner's physician in 1890-94, be resumed.

The Recorder:

The report of the Recorder, whose office is divided into three departments,—the Recording Department, the Abstract Department, and the Torrens Department—shows a gradual increase in the amount of business transacted.

One additional clerk is asked for in the Recording Department as draftsman, and from the testimony, showing that the returning of plats has been delayed by the lack of help for the past two years, we recommend that a clerk to be employed as draftsman, be granted, in addition to the number of employees allowed last year.

In the Abstract Department the same number of employees as were allowed for the past year is requested, and we recommend that they be granted.

A supplemental report by the Recorder, in which was incorporated a letter from the Cook County Real Estate Board Torrens Committee, requested an addition of seven to the force at present employed in the Torrens Division. The testimony of the Recorder, as well as that of two

members of the Committee named above, in regard to the need for the additional number asked, showed that the value of this department lay in the expedition with which the work could be done. The fact that the receipts had increased nearly 100 per cent. during the past four years, and over 20 per cent. during the last year, with every prospect of a corresponding increase during the coming year, together with the fact that one of those requested will more than earn his wages from the fees of work now waiting, tends to justify the granting of a portion of the Recorder's request. We therefore recommend that the two lady typists asked for be not allowed, and that one examiner of titles, one investigator, one counter clerk, one typist, and one messenger boy, be granted the Recorder in this department, in addition to the number allowed last year.

Sheriff:

The report of the Sheriff shows a small increase in the business transacted and asks for ten bailiffs and six janitresses on account of the election of seven additional judges, and one marble finisher's helper for the County Building, as well as one female clerk and matron at the jail. He also asks that the jail physician be transferred from the pay-roll of the County Agent to that of the Sheriff, and he stated to us that this arrangement would be satisfactory to the County Agent.

After considering the representations made by the Sheriff and his chief deputy as to the need for the increase in help requested, after comparing the data of the last three years, and after considering the fact that seven new judges have lately been elected, some of whose time can be saved for the county by the use of a personal bailiff, we are of the opinion that the granting of his request will better subserve the county's interests, and, therefore, recommend that ten bailiffs, six janitresses and one marble finisher's helper for the County Building, as well as one female clerk and matron at the jail, be granted in addition to his present allowance of help. We also recommend that the present jail physician be transferred to the pay-roll of the Sheriff, as requested, if it can be done by a satisfactory agreement with the County Agent.

County Treasurer:

The report of the County Treasurer shows a fair increase in the amount of business transacted, and asks for eighteen additional clerks and a private secretary, but suggests that the allowance of five clerks for six months and of six clerks for four months, which has been allowed for the past year, be discontinued. As a basis for his request he points to the increase in business, and suggests that it is his policy to place the highest grade of men on his regular pay-roll; that it is impossible to obtain the class of help necessary in his office for either four or six months' periods, and that he will better be able to serve the county by retaining the best men upon his regular pay-roll continuously than by hiring mediocre men for such short periods.

Taking into consideration the number of men whose short time service he wishes to dispense with, whose work approximates that of five men working full time, the net increase asked is fourteen men, including a private secretary. Although we recognize the force of his contentions, we

are unable to say that the increase in business justifies the whole number asked for, and we therefore recommend that the allowance of the five clerks for six months and six clerks for four months be discontinued, and that the County Treasurer be granted thirteen additional clerks, in addition to the remainder of his present allowance.

Juvenile Court:

Pursuant to the provisions of the Juvenile Court Act, we recommend that a rule be entered of record provided for thirteen assistant probation officers (three of whom shall be heads of divisions) and one probation stenographer, in addition to the force heretofore allowed. Your Committee has made no personal investigation in this matter, but has consulted with Judge Pinckney and has adopted his suggestions in the premises.

We have received a request from Judge Pinckney for the allowance of a confidential clerk or private secretary, at a salary not exceeding \$1,500 per year, for use in his work in connection with the Juvenile Court, because of the large detail incident to the work which devolves upon him. We have heretofore recommended that the clerk be allowed to supply the additional help.

Judge Pinckney suggests that the judges of the Circuit Court join in a recommendation to the County Board that they increase the salaries of the adult probation officers from \$100 to \$110 per month, the increase being intended to cover traveling expenses. There being no provisions under the adult probation law whereby such expenses can be allowed in any other way. And, further, the chief probation officer reports that the Municipal Court judges have already taken affirmative action on a like request by the City Council. We recommend the adoption of Judge Pinckney's suggestion that we join in such a recommendation to the County Board.

Jury Commissioners:

The Jury Commissioners request the addition of one clerk to the force allowed them last year by the courts of record of Cook County. We recommend that the staff of the Jury Commissioners be increased by the addition of one clerk named, because of the increase in the amount of work done in this office, and this recommendation is also approved by the judges of the Superior, Probate and County Courts of Cook County, who share with us the duty of fixing the number of these employees. We further recommend that the allowance made for four assistants for a period of six months for certain special work which has been completed, be discontinued.

The several requests for private secretaries or confidential clerks have not been allowed because the law does not provide for them.

A SECOND PLEA FOR PUBLICITY
IN THE OFFICE OF
COUNTY TREASURER

A STATEMENT TO THE VOTERS OF
COOK COUNTY

BY THE

CHICAGO BUREAU OF PUBLIC EFFICIENCY
315 PLYMOUTH COURT

CHICAGO BUREAU OF PUBLIC EFFICIENCY

TRUSTEES

JULIUS ROSENWALD, *Chairman*

ALFRED L. BAKER, *Treasurer*

ONWARD BATES

CHARLES R. CRANE

HENRY B. FAVILL

WALTER L. FISHER

GEORGE G. TUNELL

ALLEN B. POND

VICTOR ELTING

HARRIS S. KEELER, *Director*

GEORGE C. SIKES, *Secretary*

T. W. BETAK, *Accountant*

PETER WHITE, *Consulting Accountant*

A SECOND PLEA FOR PUBLICITY

IN THE OFFICE OF COUNTY TREASURER

In submitting this SECOND PLEA FOR PUBLICITY IN THE OFFICE OF COUNTY TREASURER to the voters of Cook County, the Chicago Bureau of Public Efficiency seeks to direct public attention to an important issue involved in the selection of the County Treasurer and the members of the Board of Cook County Commissioners to be chosen at the election of November 3 next.

THE FIRST "PLEA FOR PUBLICITY."

On October 9, 1911, the Bureau put forth a statement entitled "A Plea for Publicity in the Office of County Treasurer." This original "Plea for Publicity" resulted directly from the refusal of the County Treasurer to permit the Bureau to conduct an investigation for the purpose of making a report to the Judges of the Circuit Court upon the amount of help needed for the proper administration of his office. The "Plea for Publicity" was broader, however, than the immediate issue involved. It called attention to the policy of secrecy surrounding the administration of the office and demanded full publicity of its affairs, as is shown by the following excerpts taken from that report:

"Wholly apart from the need for access to the books as an aid in fixing the number of employes, the books ought to be regarded as public documents, open to the inspection of citizens, under reasonable regula-

tions. Public business should be carried on publicly. It is preposterous for an official like the County Treasurer, handling millions of dollars of public funds, to say that he will be a law unto himself, and keep important transactions of his office secret. It is no sufficient answer to say in defense of the policy of secrecy, as Treasurer O'Connell does say, that he is responsible to his bondsmen.

"The public ought to be able to find out in what depositories its funds are kept, the interest payments thereon, and other conditions surrounding the collection and disbursements of money that are now concealed from the scrutiny of citizens. * * *

"Sound public policy requires that the books and records of the office of County Treasurer be opened to public inspection to such extent as may be necessary to enable taxpayers to understand how public business is conducted and how public funds are handled. * * *

"The present head of the office is not responsible, of course, for usages and abuses of long standing. But in deliberately seeking to thwart the spirit of the times that calls for improvement in administrative practices, and especially in trying to keep the public in darkness as to how the office is managed, the present County Treasurer is pursuing a course that is manifestly reprehensible and that ought to bring down upon him the condemnation of public opinion in this community."

PUBLIC BUSINESS SHOULD BE CARRIED ON PUBLICLY.

In November, 1911, immediately following the issuance of the original "Plea for Publicity," the Bureau decided to undertake an investigation of the Treasurer's records and accounts for the purpose of ascertaining, if possible, how the public funds in that office were being handled and whether or not the interest thereon was being accounted for. The report of the Bureau issued in November, 1913, entitled "The Office of County Treasurer—An Inquiry

into the Administration of its Finances with Special Reference to the Question of Interest on Public Funds," was based upon the investigation then undertaken.

The decision to make such an investigation was prompted in part by the fact that on several occasions previous to that time Treasurer O'Connell had denied the right of taxpayers and citizens to inspect the books and records of his office, and had stated to officials of the Bureau that he would not permit an examination of his books of account, especially his ledger accounts, because such an examination might disclose information which he did not wish to become public.

The Trustees of the Bureau took the position that public business—especially the public business of an official like the County Treasurer, who is entrusted with the collection and custody of public funds—should be carried on publicly. They were of the opinion, moreover, that the Treasurer was legally obliged to open his books and records to the inspection of citizens and taxpayers under reasonable conditions. Acting on this latter assumption, four of the Trustees of the Bureau went in person to the office of the Treasurer, and, as citizens and taxpayers, made a formal demand upon Mr. O'Connell for permission to examine his books. When this demand was made, Mr. O'Connell receded from his former position to the extent of saying that the "public" records of the office might be inspected.

NO RECORDS OF BANK DEPOSITS OR INTEREST EARNINGS.

Such records as were placed at the disposal of the accountants of the Bureau in response to the formal demand of the Trustees were only a portion of the records of the office. Later the Bureau accountants discovered certain supplemental records and became acquainted with the nature of their contents, but were not allowed to draw off any detailed data from them on the ground that they were not "public" records.

Neither the records placed at the disposal of the accountants of the Bureau nor the supplemental records subsequently discovered contained *any entries showing the Treasurer's accounts with the banks or interest earnings on bank deposits*. In fact, although he has since made certain interest payments to the County, which obviously must have been computed from some record, Mr. O'Connell, in November, 1911, stated to the Trustees of the Bureau that he kept no books or records showing either his deposits with the banks or the interest earnings on such deposits.

After being denied an opportunity to obtain from the Treasurer's records definite data concerning the actual cash transactions of his office, the Bureau accountants, at great labor and expense, were able to approximate closely, from data which were available, the daily cash balances of the Treasurer for the fiscal year 1911—from December 5, 1910, to December 4, 1911. On the basis of those balances—at $2\frac{1}{4}$ per cent, the rate paid by the banks on funds deposited by the City of Chicago—the County should have received \$281,526.18 as interest upon funds in the hands of the County Treasurer for the fiscal year 1911. The amount actually paid over by the County

Treasurer was \$150,557.39, or \$130,968.79 less than the amount which the Bureau conservatively estimates should have been received and turned over.

OVER \$500,000 IN INTEREST LOST TO PUBLIC.

The Treasurer in 1912, and again in 1913, tendered to the County Board a somewhat larger amount of interest than was paid over in 1911. There appears to be no reason, however, for estimating the excess which the County should have received in those years to be less than it was in 1911. On the basis of the 1911 figures, for a four year term of County Treasurer, the amount of interest which the County should receive, in addition to the amount actually turned over, would be considerably more than \$500,000.

The County Treasurer turned over to the County as interest for 1911 the sum of \$150,557.39, less \$5,400 arbitrarily deducted for "attorneys' fees." There was no inquiry or accounting by the County Board to ascertain if this was all the interest earned. The Board, in accepting the lump sum, passed a resolution discharging the Treasurer from any and all claims which might accrue "by reason of the payment or non-payment of said interest or earnings upon said moneys, as aforesaid, whether accruing to said Cook County or to any other municipal corporation."

In January, 1913, the present County Treasurer tendered to the County Board \$162,212.53 as interest earned on various funds held by him for the fiscal year ending December 2, 1912. He wanted a waiver resolution and expected the Board to accept the lump sum offered without an accounting. The Finance Committee, as then constituted, took a different view of the matter. It of-

ferred to take the money and to guarantee the Treasurer against harm on account of suit or claim by any other municipality for money paid to the County. It insisted, however, upon this proviso: "That this resolution shall in no wise affect any claim, aside from said sum of \$162,212.53, which the said County of Cook may have against the said William L. O'Connell for any interest that may have come into his hands on funds held by him as County Treasurer or ex-officio collector." It was explicitly stated, too, that the right of the Board to audit the books, records and accounts of the Treasurer was not waived.

The presentation of this resolution, the adoption of which was prevented by the Treasurer's friends on the Board, precipitated the conflict between the eight Commissioners constituting the majority of the Board on one side, and the seven Commissioners constituting the minority on the other. The minority Commissioners have fought consistently to force the Treasurer to an accounting for interest earned and otherwise to open his office to public inspection. The eight Commissioners on the other side have fought as consistently to save the Treasurer from an accounting and otherwise to uphold the policy of secrecy in the management of the office.

RIGHT TO EXAMINE BOOKS DENIED.

As matters stand, therefore, the County Treasurer denies, not only to representatives of citizen organizations but to the County Board as well, the right to examine and audit his accounts or to understand the financial operations of his office. It is preposterous that the eight Commissioners constituting the majority of the County Board should uphold the Treasurer in this position.

After much delay, and when he found it impossible to

secure from the County Board the kind of resolution he desired, the County Treasurer paid over the \$162,212.53 as interest earned on funds in his possession during the fiscal year 1912. Subsequent lump sum payments have been made in the same manner without accounting to show whether or not the sums paid represented all the interest earned.

In its report of November, 1913, on the Office of County Treasurer, in which the facts were recited relating to the question of interest on funds in the hands of the County Treasurer, the Bureau recommended to the County Board:

“1. That it demand from Treasurer O’Connell a full and complete accounting in the matter of interest on bank deposits and of all other fees, perquisites, and emoluments of his office, and

“2. That in case of his failure to make such an accounting, the Board institute legal proceedings, not only to compel him to render an account, but to recover such interest or other fees, perquisites or emoluments, if any, as he may have failed to pay over to Cook County.”

The County Treasurer has failed to account for interest on bank deposits. He has declined to allow either citizens or the County Board to know the financial transactions of his office. Despite the vigorous efforts to that end of the seven Commissioners constituting the minority of the County Board, the eight Commissioners constituting the majority of the Board have stood in the way of action to compel an accounting.

THE ISSUE NOW UP TO THE VOTERS.

The issue is up to the voters of Cook County, upon whom devolves the duty of choosing County Treasurer and County Commissioners. It is public money furnished by taxpayers that is handled by the County Treasurer. The way to secure publicity in the office of County Treasurer is for the people to insist that the candidates elected as Treasurer and as County Commissioners shall be pledged to publicity in the management of public business, and shall be men of such character as to justify public confidence that they will keep their pledges.

The Chicago Bureau of Public Efficiency does not endorse or condemn candidates for public office. Nor does it pledge candidates for office to particular policies. It merely presents this statement in the hope that it may help to inform the public and assist in focussing attention upon the issue at stake.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HARRIS S. KEELER,

Director.

July 9, 1914.

PRIOR PUBLICATIONS.

- 1 Method of Preparing and Administering the Budget of Cook County, Illinois. January, 1911.
- 2 Proposed Purchase of Voting Machines by the Board of Election Commissioners of the City of Chicago. May, 1911. (Out of Print.)
- 3 Street Pavement Laid in the City of Chicago: An Inquiry Into Paving Materials, Methods and Results. June, 1911. (Out of Print.)
- 4 Electrolysis of Water Pipes in the City of Chicago. July, 1911. (Out of Print.)
- 5 Administration of the Office of Recorder of Cook County, Illinois. September, 1911.
- 6 A Plea for Publicity in the Office of County Treasurer. October, 1911. (Out of Print.)
- 7 Repairing Asphalt Pavement: Work Done for the City of Chicago Under Contract of 1911. October, 1911. (Out of Print.)
- 8 The Municipal Court Acts: Two Related Propositions Upon Which the Voters of Chicago Will Be Asked to Pass Judgment at the Election of November 7—Vote No. October 31, 1911. (Out of Print.)
- 9 The Water Works System of the City of Chicago. By Dabney H. Maury. December, 1911.
- 10 Bureau of Streets; Civil Service Commission; and Special Assessment Accounting System of the City of Chicago. December, 1911.
- 11 Administration of the Office of Coroner of Cook County, Illinois. December, 1911.
- 12 Administration of the Office of Sheriff of Cook County, Illinois. December, 1911.
- 13 Administration of the Office of Clerk of the Circuit Court and of the Office of Clerk of the Superior Court of Cook County, Illinois. December, 1911.
- 14 The Judges and the County Fee Offices. December 19, 1911.
- 15 General Summary and Conclusions of Report on the Park Governments of Chicago. December, 1911.
- 16 The Park Governments of Chicago: An Inquiry Into Their Organization and Methods of Administration. December, 1911.
- 17 Offices of the Clerks of the Circuit and Superior Courts: A Supplemental Inquiry Into Their Organization and Methods of Administration. November, 1912.
- 18 Administration of the Office of the Clerk of the County Court of Cook County, Illinois. November, 1912.
- 19 Office of Sheriff of Cook County, Illinois: A Supplemental Inquiry Into Its Organization and Methods of Administration. November, 1912.
- 20 Growing Cost of Elections in Chicago and Cook County. December 30, 1912.
- 21 The Voting Machine Contract. A Protest Against Its Recognition in Any Form by the City Council of the City of Chicago. January 1, 1913.
- 22 The Office of the County Treasurer of Cook County, Illinois. An Inquiry into the Administration of Its Finances with Special Reference to the Question of Interest on Public Funds. November, 1913.
- 23 The Nineteen Local Governments in Chicago. December, 1913.
- 24 The Bond Issues to Be Voted Upon April 7, 1914. March 30, 1914.

CHICAGO BUREAU OF PUBLIC EFFICIENCY

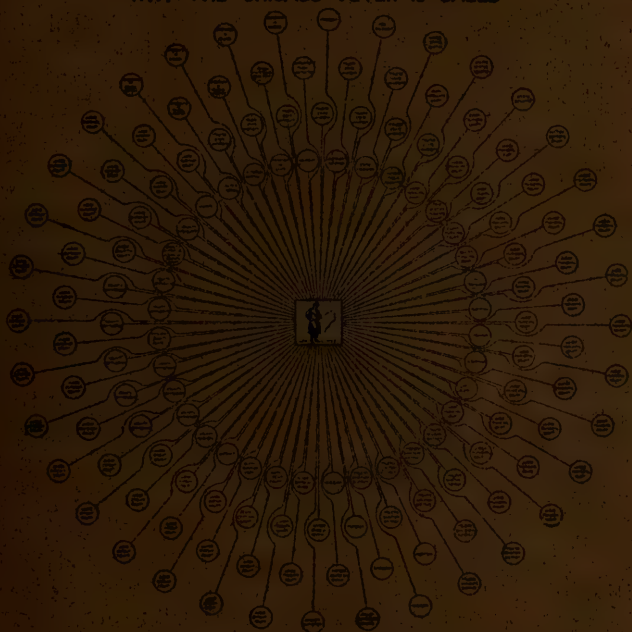
Purposes as Stated in the Plan of Organization

- (1) To scrutinize the systems of accounting in the eight local governments of Chicago.
- (2) To examine the methods of purchasing materials and supplies and letting and executing construction contracts in these bodies.
- (3) To examine the payrolls of these local governing bodies with a view of determining the efficiency of such expenditures.
- (4) To make constructive suggestions for improvements in the directions indicated under 1, 2 and 3, and to co-operate with public officials in the installation of these improved methods.
- (5) To furnish the public with exact information regarding public revenues and expenditures, and thereby promote efficiency and economy in the public service.

THE NINETEEN LOCAL GOVERNMENTS IN CHICAGO

A MULTIPLICITY OF OVERLAPPING TAXING
BODIES WITH MANY ELECTIVE OFFICIALS

WHY THE CHICAGO VOTER IS DAZED



HE IS EXPECTED TO CHOOSE 144 PUBLIC OFFICIALS

CHICAGO'S GREATEST NEEDS ARE THE UNIFICATION
OF ITS LOCAL GOVERNMENTS
AND A SHORT BALLOT

REPORT PREPARED BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY

SECOND EDITION
MARCH, 1915

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- 20 Growing Cost of Elections in Chicago and Cook County. December 30, 1912.
- 21 The Voting Machine Contract. A Protest Against Its Recognition in Any Form by the City Council of the City of Chicago. January 1, 1913.
- 22 The Office of the County Treasurer of Cook County, Illinois. An Inquiry Into the Administration of Its Finances with Special Reference to the Question of Interest on Public Funds. November, 1913.
- 23 The Nineteen Local Governments in Chicago. December, 1913.
- 24 The Bond Issues to Be Voted Upon April 7, 1914. March 30, 1914.
- 25 A Second Plea for Publicity in the Office of County Treasurer. July 9, 1914.

THE
NINETEEN LOCAL GOVERNMENTS
IN CHICAGO

A MULTIPLICITY OF OVERLAPPING TAXING
BODIES WITH MANY ELECTIVE OFFICIALS

CHICAGO'S GREATEST NEEDS ARE THE UNIFICATION
OF ITS LOCAL GOVERNMENTS
AND A SHORT BALLOT

SECOND EDITION
MARCH, 1915

REPORT PREPARED BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY
315 PLYMOUTH COURT

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TABLE OF CONTENTS.

	Page.
PREFACE TO SECOND EDITION	4
INTRODUCTION	6
TEXT OF REPORT	7
A Multiplicity of Overlapping Taxing Bodies.....	7
Too Many Elective Officials	10
The Greatest Needs of Chicago.....	13
Cook County and Chicago	15
The Organization of the City Government.....	17
The Organization of the County Government.....	19
The Sanitary District of Chicago.....	23
The Government of the Sanitary District.....	25
The Park Districts in Chicago.....	27
The Park Governments in Chicago	29
The Nineteen Local Governments in Chicago.....	31
The Cost of the Local Governments	33

CHARTS:

Why the Chicago Voter is Dazed.....	Opposite 13
The Organization of the City Government.....	“ 17
The Organization of the County Government.....	“ 19
The Organization of the Sanitary District.....	“ 25
The Park Governments in Chicago.....	“ 29
The Organization of the Local Governments in Chicago	“ 31
Expenditures of the Eighteen Local Governments in 1912	“ 33

MAPS:

Cook County and Chicago.....	Opposite 15
The Sanitary District of Chicago.....	“ 23
Park Districts and Parks in Chicago.....	“ 27

APPENDIX—

Tables:

- I. Expenditures of the Eighteen Local Governments in Chicago
for the Year 1912.
- II. Public Officials Voted for in Chicago.
- III. Public Officials for Whom Each Male Elector in Chicago
May Vote.
- IV. Public Officials for Whom Each Male Elector in Chicago
Might Have Voted at the Election of November, 1912.
- V. Public Officials for Whom Each Woman Elector in Chicago
May Vote.

PREFACE TO SECOND EDITION.

An edition of 10,000 copies of the report on THE NINETEEN LOCAL GOVERNMENTS IN CHICAGO was exhausted in less than a year from its date of publication, which was December, 1913. This second edition is printed in order that requests for copies of the publication may be met.

Since the original report was issued the number of governments in Chicago has increased from 19 to 22 and the number of local elective officials has grown from 236 to 251. There have been other changes that call for notice.

The fact that the number of governing bodies and of elective officials is increasing, in face of the public demand for unification and the short ballot, is so startling as to challenge attention. It is evident that the movement for consolidation of governing bodies should be pushed with more vigor. It is gratifying to note that the Forest Preserve Act was put into effect without the creation of a new governing body, the Board of Cook County Commissioners having been made the agency for acquiring outlying wooded areas adapted to park uses. Consolidation of the park governments with the City of Chicago should be brought about without further delay.

In presenting this Second Edition, the Bureau has revised the text to meet existing conditions, but has not redrawn the maps and charts, which are published as originally prepared. In order to show the extent of the changes that have taken place during the past year, the revised matter is bracketed in italics.

A brief statement of the important changes in the local governmental situation is set forth in the following paragraphs.

There are, at the present time, twenty-two distinct gov-

erning agencies in the territory comprising Chicago. The three new agencies are the Ravenswood Manor-Gardens Park Commissioners, the River Park Commissioners, and the Commissioners of the First Park District of the City of Evanston. The first two park districts are located in the town of Jefferson and the third, in the town of Ridgerville. The voting into existence of the two park districts and the annexation of a portion of the third increased the number of park districts from 13 to 16, the number of elective park commissioners from 50 to 65, the total number of park commissioners from 84 to 99, and the number of elective officials which Chicago voters are called upon to choose or help choose, from 368 to 383. The number of local elective officials is now 251 instead of 236. The number of separate taxes to be spread by the County Clerk for the year 1915 will be 369, an increase of three over the year 1913.

Two new departments have been created in the City government—the department of public service and the department of public welfare. Two new departments have also been added to the County government—the department of highways and the department of public welfare.

Instead of seven, there are now eight townships which lie wholly within the City of Chicago, the eighth being the town of Evanston. If account were taken of these eight townships, there would be 30 governing bodies within the City, instead of 22. Twenty-three townships lie wholly outside the City limits. By the annexation of Morgan Park to the City, a portion of the town of Worth now lies within the boundaries of Chicago. A small tract of the City of Evanston (lying in the town of Ridgerville) has been annexed to the City of Chicago, the territory of which now embraces 194.5 square miles.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HARRIS S. KEELER,

Director.

March, 1915.

INTRODUCTION.

In the following report on THE NINETEEN LOCAL GOVERNMENTS IN CHICAGO, the Chicago Bureau of Public Efficiency presents in graphic form the governmental situation as it exists today in this community.

The charts of organization of these different local governments are the most important feature of the report. These charts set forth such striking and significant facts that the Bureau considers it advisable to publish them in a form available for general use. To accompany the charts, certain maps and tables have been prepared. The purpose of the text is not to describe in detail the organization of the various governments, but merely to explain that which in the charts is not self-explanatory.

This report is in accord with the general purpose of the Bureau to furnish the public with exact information concerning local governmental conditions and thereby to promote economy and efficiency in the public service. It is hoped that the report may prove of interest and educational value to taxpayers and voters generally, and especially to students in the various schools and institutions of the city and to women voters who, with the grant to them of limited rights of suffrage, are manifesting eagerness to understand the organization and actual workings of government. The facts herein presented should possess a special value, also, for citizens interested in the movement for charter revision on a comprehensive scale.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HARRIS S. KEELER,

Director.

December, 1913.

THE NINETEEN LOCAL GOVERNMENTS IN CHICAGO.

[NOW TWENTY-TWO]

A MULTIPLICITY OF OVERLAPPING TAXING BODIES.

Probably no other community in the world presents a more confusing complexity of local government than does the territory comprising the City of Chicago. The structure of the City government proper is fairly simple. But the City is only one of many local governments. There are 19 [now 22] distinct governing agencies in the territory comprising Chicago, most of them absolutely independent of one another. They are :

- City of Chicago
- Board of Education
- Library Board
- Municipal Tuberculosis Sanitarium
- Cook County
- Sanitary District of Chicago
- South Park Commissioners
- West Chicago Park Commissioners
- Lincoln Park Commissioners
- Ridge Avenue Park Commissioners
- North Shore Park Commissioners
- Calumet Park Commissioners
- Fernwood Park Commissioners
- Ridge Park Commissioners
- Irving Park Commissioners
- Northwest Park Commissioners
- Old Portage Park Commissioners
- Edison Park Commissioners
- West Pullman Park Commissioners
- [*Ravenswood Manor-Gardens Park Commissioners*]
- [*River Park Commissioners*]
- [*Commissioners of the First Park District of the City of Evanston.*]

The Board of Education, the Library Board, and the Tuberculosis Sanitarium, while having their separate tax levies, are subject to a degree to control by the Mayor and City Council. All the other bodies named are absolutely independent of one another.

If account were taken of the seven [now *eight*] towns lying wholly within the City of Chicago (Lake View, North Chicago, Jefferson, West Chicago, South Chicago, Hyde Park, Lake, and *Evanston*), which still have legal existence, the number of governing bodies for the territory comprising the City would be 26 [now *30*] instead of 19 [now *22*]. These old town governments serve no important purpose. They no longer have separately elected officials. The perfunctory legal duties which their continued existence necessitates are performed by the County Clerk and County Treasurer, who act as *ex-officio* town officers. The five [now *six*] towns which lie partly without and partly within the City (*Evanston* [now entirely within], Niles, Maine, Norwood Park, Calumet, *Worth*, and *Ridgeville*) are also excluded from the count.*

This report does not deal with governing bodies in Cook County outside the City of Chicago. The Sanitary District and the County government with which it does deal extend, however, beyond the City limits. It may be of interest to note in passing that the County Clerk of Cook County spreads 366 [now *369*] separate taxes. This does not mean that there are 366 separate taxing bodies, because in some cases governing authorities levy special taxes for specific purposes, in addition to their general tax, thus making a larger number of tax levies than of taxing bodies. However, the total number of taxing bodies within the County, including those in Chicago, does exceed 300. In the portion of Cook County outside of

*In order to make the township of Ridgeville co-terminous with the City of Evanston, as heretofore, it is probable that the County Board will change the boundary lines of the township. Ridgeville will then lie entirely outside the limits of the City of Chicago.

Chicago the school districts number 176; the villages, 59; the towns, 29; and the cities, 9.

Nor does the list of governing bodies in Chicago, reaching the formidable number of 19 [now 22], include the proposed forest preserve district, the authorities of which are to acquire and administer outer park areas. Under the provisions of the statute passed by the Legislature at its last session, this proposed forest preserve district, which is to have a separate tax levy, may be a separate governing authority with its own board of appointive officials. If, however, its boundaries are made co-terminous with the boundaries of either the County or the Sanitary District, its functions may be discharged by the County Board or by the Trustees of the Sanitary District. In the latter event, the creation of a new governmental agency may be avoided.*

The General Assembly of Illinois might with propriety be added to the list of local governing agencies, for it is continually interfering in an arbitrary manner in matters of local administration. For example, the Legislature, within recent years, has raised out of all proportion to the duties performed the salaries of certain County officials, notably the Clerks of the courts. The County has no choice but to pay the excessive amounts fixed by statute.

The new public utilities commission, to come into existence on January 1, 1914, while a body of state-wide jurisdiction, will be called upon to deal in an intimate way with problems of local concern heretofore considered peculiarly within the province of local authorities.† In a sense, therefore, the new public utilities commission, though it is not a taxing body, is one more governmental agency added to the large number already existing.

*At the November election, 1914, the proposition of establishing a forest preserve district was submitted to the voters and received their approval. Since the boundaries are co-terminous with the boundaries of the County, the County Board is the governing authority of the district.

†The public utilities commission came into existence on January 1, 1914.

TOO MANY ELECTIVE OFFICIALS.

Many governing bodies mean a large number of elective officials. During the last decade, despite popular agitation for unification of governing bodies and for the short ballot, the number of governmental agencies and of elective officials for the territory comprising Chicago has grown larger rather than smaller. The ballot presented to voters of Chicago at certain elections is larger than that used in any other community in the world, with one or two possible exceptions.

Moreover, elections are of frequent occurrence and the cost of elections is growing rapidly, having more than trebled since 1896. For the year 1912, the cost of elections to Chicago and Cook County was almost \$1,000,000. For the year 1914, the amount doubtless will be in excess of \$1,000,000.

The number of different elective officials (national, state, and local), which Chicago voters are called upon to choose or help choose, reaches the enormous total of 368 [now 383]. This figure includes the President and Vice President, who are not elected directly by the people; it excludes, however, the 29 presidential electors for whom the voters actually cast their ballots in choosing the President and Vice President. It should be noted also that there are two officials, each of whom is voted for twice, once as member and once as presiding officer of his respective board. They are the President of the County Board and the President of the Sanitary District. In the foregoing total, both are counted twice, inasmuch as their names appear twice on the same ballot. Table II, in the Appendix, gives the list of such elective officials, numbering 368 [383].

The charts presented in this report (except the chart opposite page 13) do not show national or state officials, but only officials of local governing bodies. The number of local elective officials shown on the charts is 231.* Since these charts were completed, however, this number has been increased to 236 [now 251] by the election of five commissioners [each] for the recently-organized West Pullman, [*Ravenswood Manor-Gardens, and River*] Park Districts [*and the First Park District of the City of Evanston, recently annexed in part.*] Of the foregoing number, 113 (counting aldermanic positions as two) are voted for by the voters of the entire City. They are not all elected at one time, however.

During a period of nine years, each male elector in Chicago is called upon to choose officials (national, state, and local) for 144 different elective positions. As explained on the preceding page, the President of the County Board and the President of the Sanitary District are each counted as two elective officials. With one exception, all of these positions must be filled more than once during the nine year period, since some officials are elected for two years, some for four years, and some for six years. The Justice of the Supreme Court of the State elected from the Chicago district is chosen every ninth year. The list, showing the 144 officials, is given in table III in the Appendix.

Citizens of Chicago who are residents of any of the ten [now *thirteen*] small park districts also choose five Park Commissioners, not enumerated in the list. Citizens of Chicago living in towns partly within and partly without the City also have the right to vote for supervisor,

*This number includes five County Commissioners who are elected by those voters of the County residing outside the City of Chicago, but who serve the people of the entire County.

clerk, assessor, and collector of their towns, making four more officials whom they may help to elect. Thus, in some portions of the City, during a period of nine years, the number of different elective positions which each male elector is expected to help fill is nine more than 144, or 153.

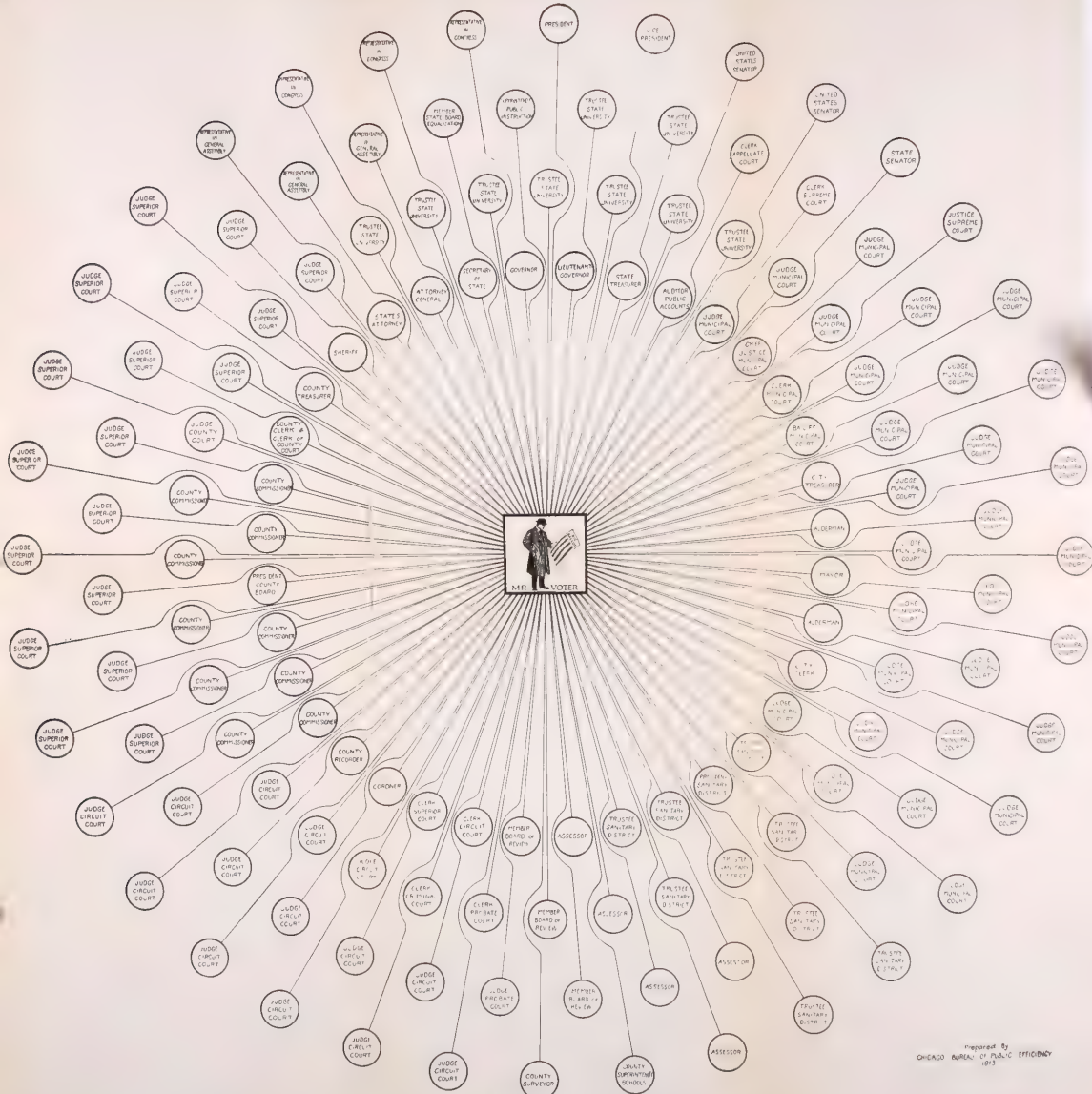
As these elective officials serve for different terms and are not all chosen at the same elections, the elector is not called upon to vote for all of them at any one time. At some of the elections, however, the ballot is extremely long. At the general fall election of 1912, there were 57 officials to be voted for by the voters of Chicago, not counting presidential electors but counting President and Vice President. The list of such officials is shown in Table IV in the Appendix.

During a period of six years each woman elector in Chicago may vote for 70 different elective officials. This number includes the Justices of the Municipal Court. A list, showing these officials, appears in Table V in the Appendix. As in the case of male electors, any woman voter residing within any of the small park districts or within any of the five [now *six*] townships lying partly within and partly without the City of Chicago may vote for the elective officials of such park district or township.*

*See footnote on page 32.



WHY THE CHICAGO VOTER IS DAZED



Prepared by
CHICAGO BUREAU OF PUBLIC EFFICIENCY

HE IS EXPECTED TO CHOOSE 144 PUBLIC OFFICIALS

THE GREATEST NEEDS OF CHICAGO.

The large number of local governments in Chicago, with their very large number of elective officials, independent of one another, operates to produce not only inefficient public service but an enormous waste of public revenues. The present multiplicity of governing bodies, with lack of centralized control and the long ballot, results in confusing complexity and makes gross inefficiency and waste on a large scale inevitable.

In a report on the Park Governments of Chicago, issued by the Chicago Bureau of Public Efficiency in December, 1911, figures were presented to show that the consolidation of the Park Governments with the City would not only effect a money saving of \$500,000 a year, but would result in increased efficiency in the administration of park affairs. The money saving from the unification of all, or nearly all, of the local governments in Chicago would be many times greater. The increase in efficiency from unification and reduction in the number of elective officials would be enormous.

Chicago's greatest needs are unification of its local governments and a short ballot.

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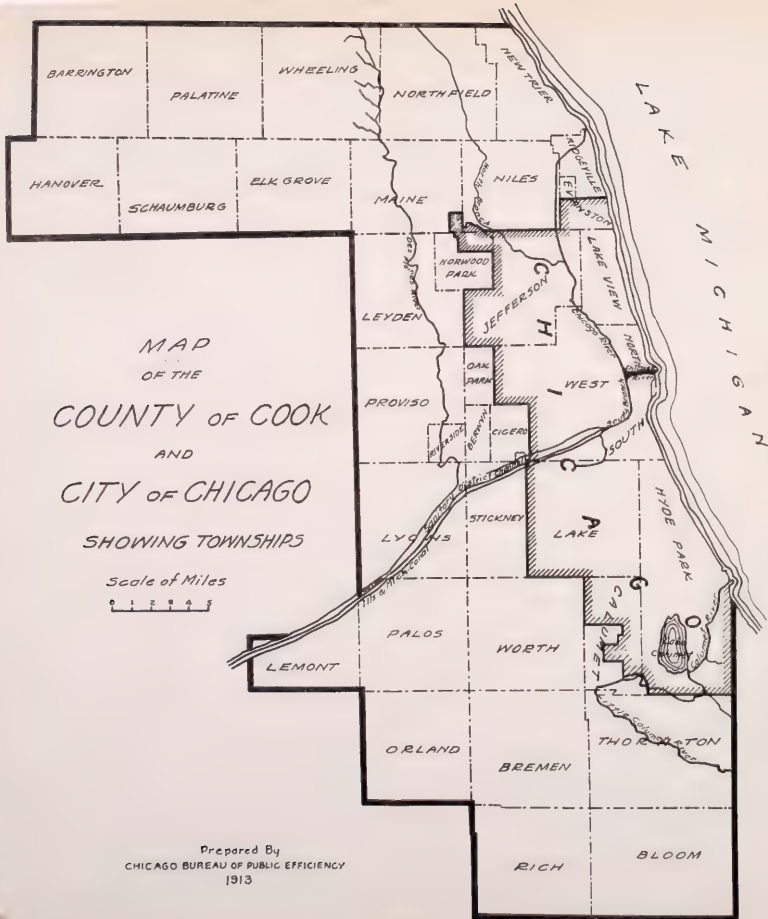
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MAP
OF THE
COUNTY OF COOK
AND
CITY OF CHICAGO
SHOWING TOWNSHIPS

Scale of Miles



Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913

COOK COUNTY AND CHICAGO.

Cook County is one of the 102 counties into which the State of Illinois is divided for governmental purposes. It is subdivided and organized into townships, which are represented on the map by dotted lines. There are 37 townships in Cook County. Seven [now *eight*] of these townships are located entirely within the territory comprising the City of Chicago, the boundaries of which are indicated by shaded lines; five [now *six*] are located partly within and partly without such territory. Twenty-five [now *twenty-three*] townships lie wholly without the City of Chicago.*

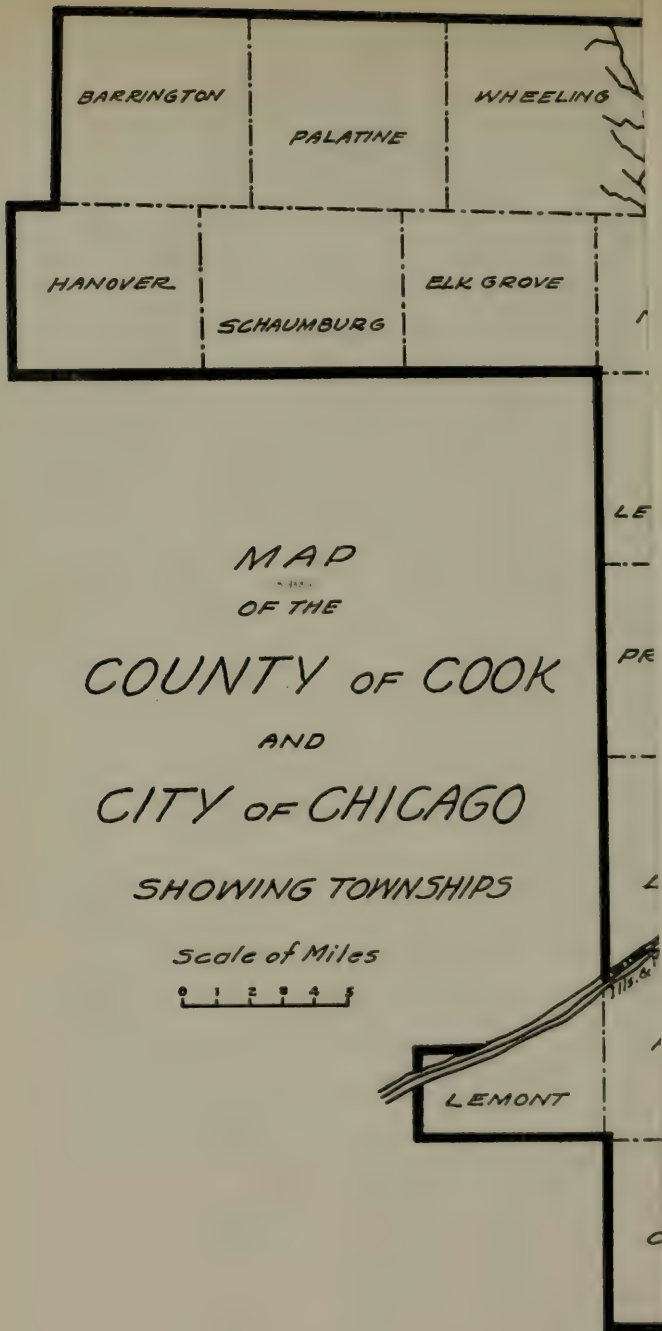
When the City of Chicago was organized in 1837, it consisted approximately of the southern half of the township of North Chicago, the northern half of the township of South Chicago, and a small eastern portion of the township of West Chicago, or 10.6 square miles. The City limits have since been extended sixteen [*eighteen*] times, until the territory at present embraces 191.3 [now *194.5*] square miles, or nearly one-fifth of the area of Cook County. More than nine-tenths of the people of the County reside within the City of Chicago.

*The map opposite should show the following boundary changes:

That portion of the township of Evanston shown as lying outside the City limits has been annexed to the township of Ridgeville, so that at the present time the township of Evanston lies wholly within the City of Chicago.

A small tract about one-eighth of a square mile, in the southeast part of the township of Ridgeville, has recently been added to the City of Chicago.

By the annexation to Chicago of Morgan Park, which lies in the townships of Calumet and Worth, a small portion of Worth is brought within the City limits. The southern part of Calumet is still outside the City limits.



MAP
OF THE
COUNTY OF COOK
AND
CITY OF CHICAGO
SHOWING TOWNSHIPS

Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913

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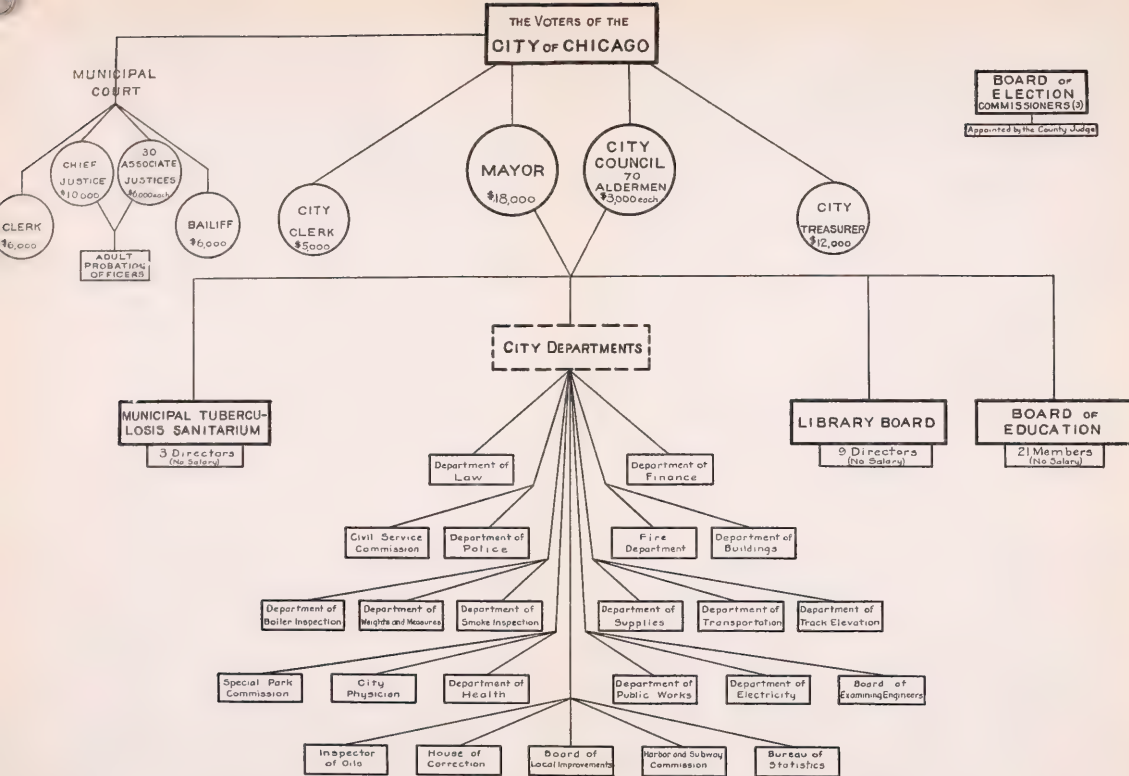
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TOWNSHIPS.

The township is the primary governmental division of the County. In all of the 30 [29] townships which lie wholly or partly outside the City, there are regularly elected township officers, who perform certain well-defined duties. The seven [now *eight*] townships within the City, however, have no officials elected as such. The County Treasurer acts as *ex-officio* town supervisor and *ex-officio* town collector, while the County Clerk acts as *ex-officio* town assessor and *ex-officio* town clerk. These seven [*eight*] city townships exercise no important functions, although Lake View, North Chicago, and West Chicago continue to levy taxes for park purposes. Their existence costs the taxpayers several thousand dollars a year in useless administrative expense in connection with tax collections. It is obvious that township government within the City should be entirely abolished.



○ Elective Officials
 □ Departments or Appointive Officials

CHART OF ORGANIZATION
 OF THE GOVERNMENT
 OF THE
 CITY OF CHICAGO
 SHOWING LINES OF AUTHORITY AND
 SALARY RATES FOR ELECTIVE OFFICIALS

Prepared by
 CHICAGO BUREAU OF PUBLIC EFFICIENCY
 1913

THE ORGANIZATION OF THE CITY GOVERNMENT.

The most important of the 19 [22] local governments in Chicago is the City government itself. The functions of the City government, working through its departments, are more varied and extensive than those of any of the other local governments. The chart on comparative expenditures of the various local governing bodies (page 33) shows that the City spends more money each year than do all of the others combined.

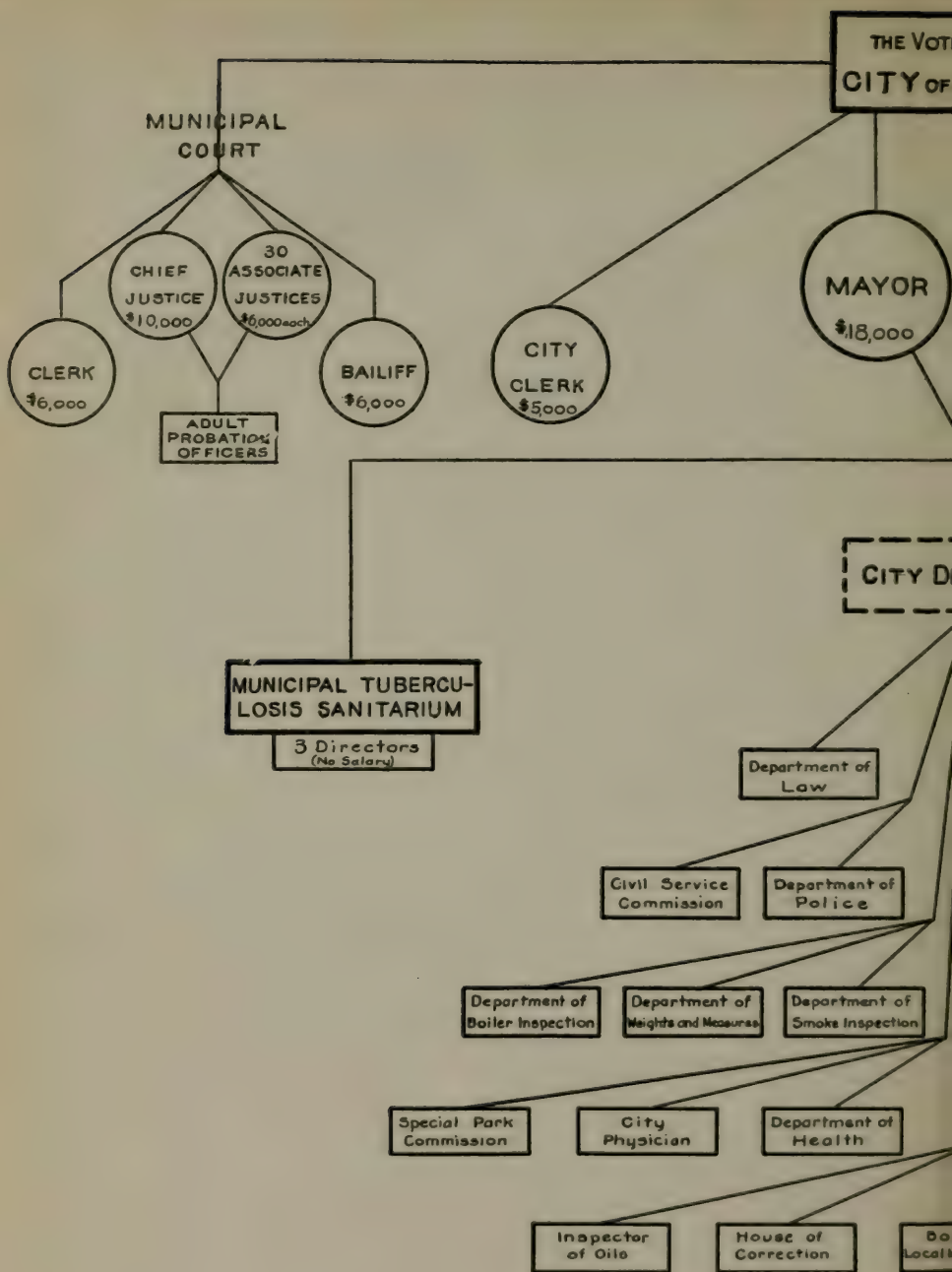
The principal elective officials of the City are the Mayor and Aldermen. The Council consists of 70 members, two Aldermen being elected from each ward. The other elective officials are the City Clerk, City Treasurer, the Chief Justice and 30 Associate Justices of the Municipal Court, and the Bailiff and Clerk of that Court.

It is, of course, an absurdity that the Bailiff and the Clerk of the Municipal Court, the City Clerk, and the City Treasurer should be chosen by direct vote of the people.

The functions of the City government proper are exercised through departments, which, as shown by the chart, number 23.* There are more heads of departments in Chicago than there are in the government of the United States. It is apparent that a reduction in the number of departments, through appropriate consolidation, would result in economy and greater efficiency.

The Board of Education, the Library Board, and the Municipal Tuberculosis Sanitarium, although shown on the City government chart, are practically free from con-

*Two new departments, known as the department of public service and the department of public welfare, have been made a part of the City government. The department of transportation has been made a bureau in the department of public service.



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trol by the City government. To all intents and purposes, they are independent governing agencies and are counted as such in the list of local governments given in this report. The members of these bodies, however, are appointed by the Mayor, subject to confirmation by the City Council. Moreover, these bodies are dependent upon the City Council for the levying of taxes requested by them. Besides this, some of their acts, such as the purchase or sale of real estate, to be valid, must be ratified by the Council. Because of this dependency, these boards are shown on the City government chart. The action of the City Council in the foregoing matters is largely perfunctory.

The functions of the Board of Education and Library Board are too well known to require explanation. The purpose of the Tuberculosis Sanitarium is to provide a municipal sanitarium for the free treatment and care of persons suffering from tuberculosis.

The Board of Election Commissioners, appearing in the upper right hand corner of the City chart, is a governmental anomaly. Its members are appointed by the County Judge and are officers of the County Court. They are also corporate authorities of the City of Chicago. Within the limits of the authority conferred upon them by the election laws, they may incur debts for the payment of which either the City or the County must make provision. The salaries of the three Election Commissioners, the chief clerk, and assistant chief clerk of the Board are paid by the County; the salaries of all other employes are paid by the City. The City is required to provide quarters for the Board. The expenses of all city elections are borne by the City; the expenses of all general county and state elections are borne by the County.

THE VOTERS OF COOK COUNTY

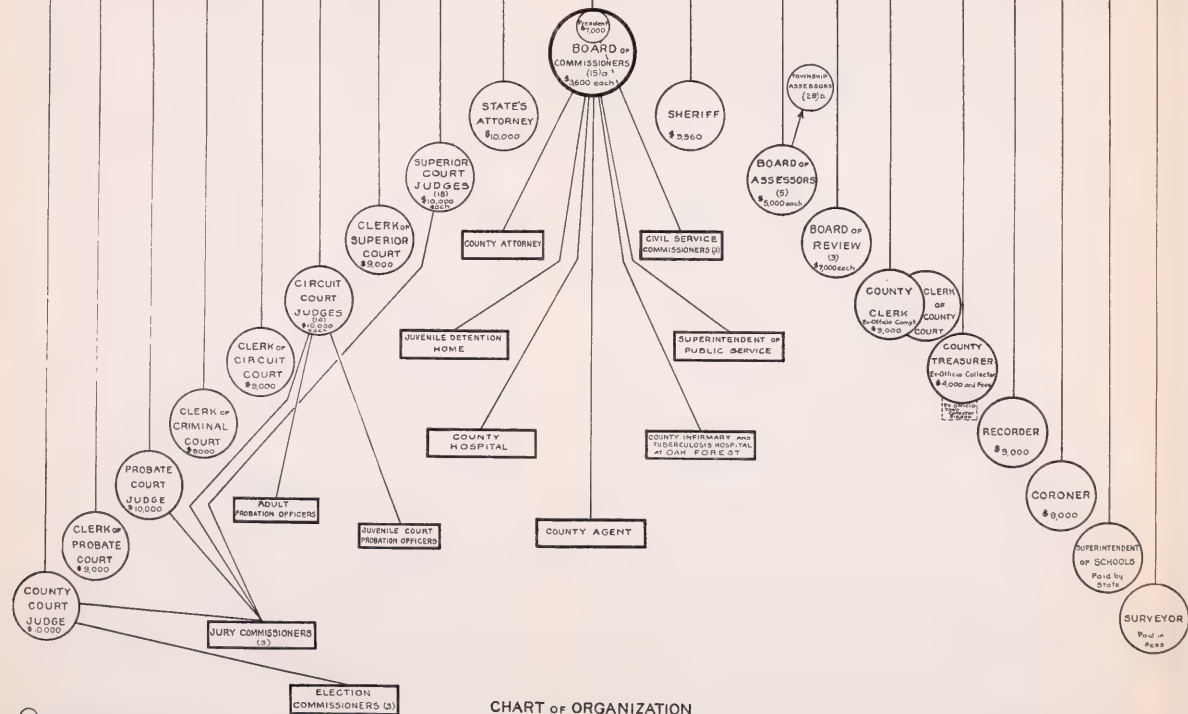


CHART OF ORGANIZATION
OF THE GOVERNMENT
OF
COOK COUNTY, ILLINOIS
SHOWING LINES OF AUTHORITY AND
SALARY RATES FOR ELECTIVE OFFICIALS

Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913

○ Elective Officials
□ Institutions or Appointive Officials

○ President Included
○ Elected by their respective Tonnage pa

THE ORGANIZATION OF THE COUNTY GOVERNMENT.

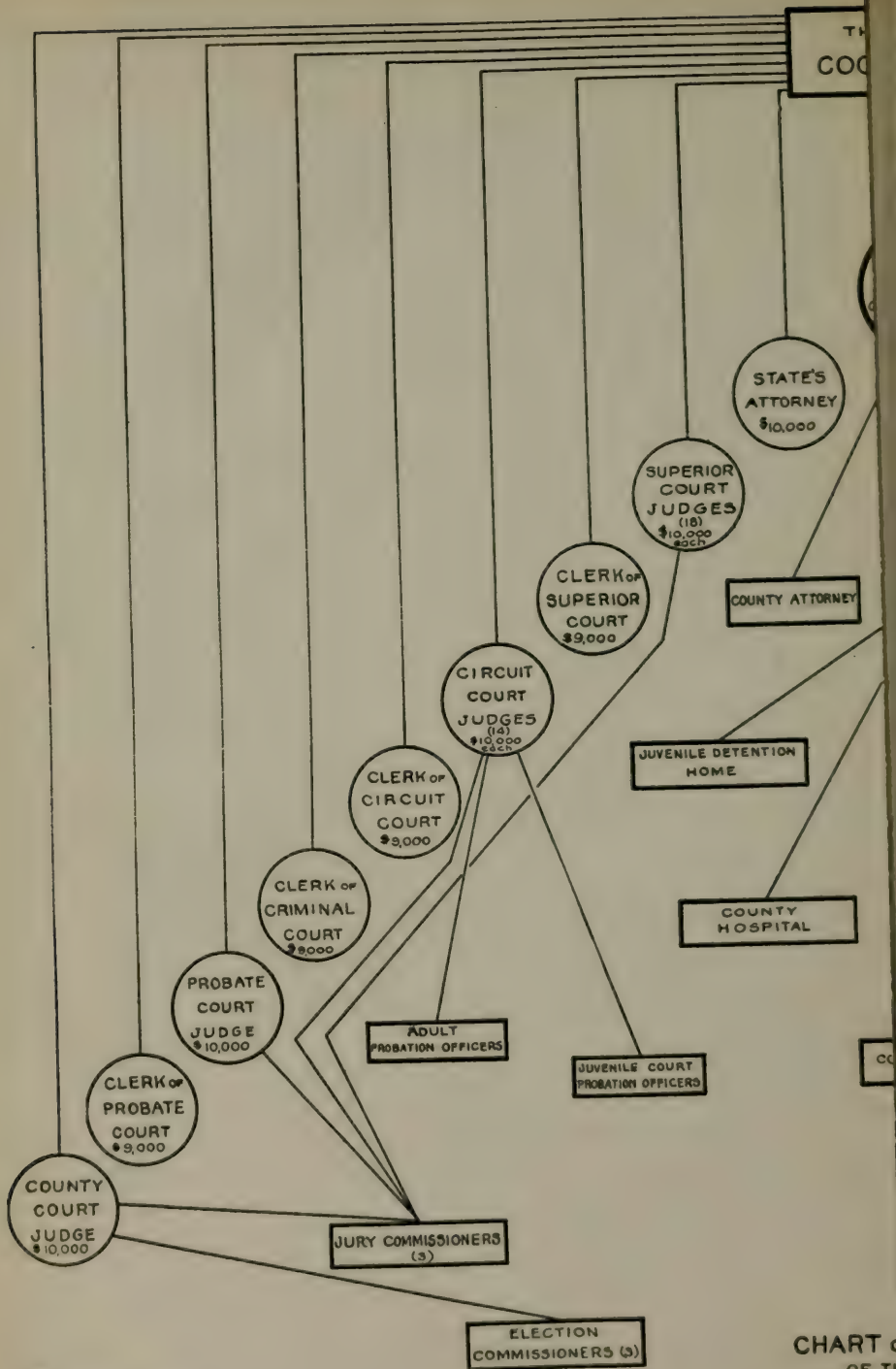
There are 69 elective officials in the government of Cook County.* Each one is practically independent of all the others and is responsible for his conduct in office only to himself and to the people who elect him. There is nowhere in the County government any central co-ordinating official or body. Contrary to popular notion, the Board of Commissioners, or County Board, as it is generally called, does not have central responsibility or control. The direct control and authority of this Board extends only to those officials and institutions indicated by the lines on the chart.†

The Constitution of 1870 provides for a County Board of fifteen members, ten of whom shall be elected from the City of Chicago and five from that portion of the County lying outside the City. One of the most important duties of the Board is to provide for the care of the County's sick and indigent wards. In addition, it appropriates for the salaries and expenses of all of the officials and offices of the County government, with the following exceptions: One-half of the salaries of the Judges of the Circuit and Superior Courts is paid by the State; four hundred dollars of the salary of the State's Attorney is paid by the State; the commissions of the County Treasurer as *ex-officio* town collector are retained by him out of the taxes which he collects for the seven [now *eight*] city towns‡; the salary of the County Superintendent of Schools is paid by the State; the County Surveyor is paid in fees

*Counting the President of the County Board in his dual capacity as President and Commissioner, the number is 70.

†Two new departments, known as the department of public welfare and the department of highways, have been added to the County government. The duties of the County Attorney have been assumed by the State's Attorney.

‡See footnote on page 21.



Elective Officials



Institutions or Appointive Officials

- a. President Included
- b. Elected by their respective Townships

CHART of
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COOK
SHOWING LINE
SALARY RATES

THE ORGANIZATION OF THE COUNTY GOVERNMENT.

There are 69 elective officials in the government of Cook County.* Each one is practically independent of all the others and is responsible for his conduct in office only to himself and to the people who elect him. There is nowhere in the County government any central co-ordinating official or body. Contrary to popular notion, the Board of Commissioners, or County Board, as it is generally called, does not have central responsibility or control. The direct control and authority of this Board extends only to those officials and institutions indicated by the lines on the chart.†

The Constitution of 1870 provides for a County Board of fifteen members, ten of whom shall be elected from the City of Chicago and five from that portion of the County lying outside the City. One of the most important duties of the Board is to provide for the care of the County's sick and indigent wards. In addition, it appropriates for the salaries and expenses of all of the officials and offices of the County government, with the following exceptions: One-half of the salaries of the Judges of the Circuit and Superior Courts is paid by the State; four hundred dollars of the salary of the State's Attorney is paid by the State; the commissions of the County Treasurer as *ex-officio* town collector are retained by him out of the taxes which he collects for the seven [now *eight*] city towns‡; the salary of the County Superintendent of Schools is paid by the State; the County Surveyor is paid in fees

*Counting the President of the County Board in his dual capacity as President and Commissioner, the number is 70.

†Two new departments, known as the department of public welfare and the department of highways, have been added to the County government. The duties of the County Attorney have been assumed by the State's Attorney.

‡See footnote on page 21.

by those employing his services; one-half of the expense of maintaining the Juvenile Detention Home is paid by the City; as already explained, a large portion of the expense of the Election Commissioners is borne by the City.

While the County Board appropriates for the salaries of the employes in what are commonly called the "County fee offices," namely, in the offices of the Sheriff, the County Treasurer, the Recorder, the Coroner, and each of the five Court Clerks, the Constitution of 1870 requires the Judges of the Circuit Court to fix the number of such employes for whom appropriations shall be made. Thus, the responsibility for the salary expenditures of these offices is divided between the Judges and the County Board. If lines indicating the budgetary control of the County Board and the authority of the Judges of the Circuit Court in connection with the nine offices mentioned were shown, the chart would appear much more complicated than it does now.

The County Board also provides for the maintenance of the County building, the Criminal Court building, and the County Jail, and for the feeding of the prisoners in the latter.

The President of the County Board appoints the Civil Service Commissioners without the approval of the other members of the Board. With the concurrence of the Board, he also appoints the warden of the County Hospital, the superintendent of the institutions at Oak Forest, the Superintendent of Public Service, the County Agent, the County Physician, the County Attorney,* the

*At the present time there is no County Attorney, his duties having been taken over by the State's Attorney.

County Architect, and the committee clerk of the County Board. Other appointments in those branches of the County service under the direct control of the County Board are made by the President under Civil Service regulations.

In all County offices, except those under the direct control of the County Board, employes are appointed by the elective heads of the respective offices. The Civil Service Commission has no jurisdiction in these cases. In 1911 the Legislature passed a comprehensive County Civil Service law to cover employes in all County offices. The Supreme Court of the State later declared this act invalid on technical grounds.

The County Treasurer, the custodian of the funds of the County and its disbursing officer, is also *ex-officio* county collector and *ex-officio* town collector and supervisor of each of the seven [eight] towns lying wholly within the City of Chicago. As County Treasurer, he receives a salary of \$4,000 a year. As town collector, he retains \$1,500 in commissions from the taxes collected by him within each of the seven [eight] Chicago towns—a total of \$10,500 a year. He also retains two per cent on all inheritance taxes collected by him for the State. In recent years, these fees alone have exceeded \$20,000 a year.*

*Since the issuance of the first edition of this report, the Supreme Court of Illinois has ruled that the section of the inheritance tax law under which the County Treasurer retained inheritance tax fees is unconstitutional. In accordance with this ruling, W. L. O'Connell, former County Treasurer, has turned into the State treasury \$105,807.23 as the amount of inheritance tax fees retained by him during the four years of his term of office, which ended in December, 1914.

Inasmuch as there are now eight towns lying wholly within Chicago, and inasmuch as the compensation of town collectors in Cook County has been raised by the Legislature from \$1,500 to \$3,000 a year, the compensation of the County Treasurer in his capacity as *ex-officio* town collector would naturally be figured at \$24,000 a year, instead of \$10,500 a year as formerly. However, as the Bureau pointed out in its report on the office of County Treasurer, that official would seem to have no right to retain commissions for his services as town collector. A taxpayers' suit is now pending for the purpose of determining this point. If the courts shall decide, as seems likely, that the County Treasurer of Cook County,

The County Clerk is *ex-officio* County Comptroller and Clerk of the County Board. He is also Clerk of the County Court.

The township assessors, although elected to office by their respective townships, are deputies of the Board of Assessors and are thus shown as subject to its control. Their salaries are provided for by the County Board. The assessor of the township of Ridgville is appointed by the Board of Assessors. There are in all 29 [now 28] elected township assessors.*

The Juvenile Court is not shown on the chart. It is a branch of the Circuit Court and is presided over by one of the Circuit Court Judges.

There are no judges of the Criminal Court elected as such. The Judges of the Circuit and Superior Courts are *ex-officio* judges of the Criminal Court.

The Jury Commissioners are appointed by the Judges of the various courts. It is their function to prepare lists of persons eligible for jury service.

The Appellate Court for the first district of Illinois, which embraces Cook County, is not shown on the chart. It is a State Court, and at the present time is presided over by twelve justices assigned by the Supreme Court of the State, nine of whom have been assigned from the Circuit and Superior Courts of Cook County and three of whom have been assigned from other Circuit Courts of the State.

as *ex-officio* town collector, is not entitled to any compensation in addition to his salary as Treasurer, then the compensation of the office will be reduced to \$4,000 a year. This amount is manifestly too low for the responsibilities imposed, although it is equally obvious that the compensation actually retained by former County Treasurers has been excessive. With a view of providing equitable compensation, a bill has been introduced at the present session of the Legislature increasing the Treasurer's salary to \$9,960—the Constitution providing that the salary shall not be as much as \$10,000 a year.

*Since the town of Evanston is now wholly within the City of Chicago, the number of elected township assessors in the County has been reduced from 29 to 28.

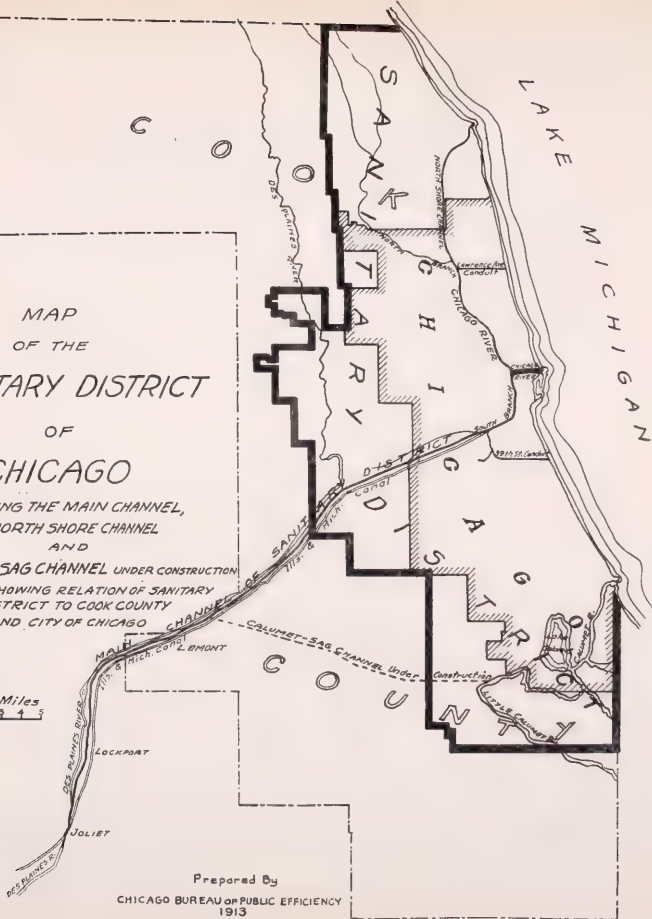
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MAP
OF THE
SANITARY DISTRICT
OF
CHICAGO

SHOWING THE MAIN CHANNEL,
NORTH SHORE CHANNEL
AND
CALUMET-SAG CHANNEL UNDER CONSTRUCTION
ALSO SHOWING RELATION OF SANITARY
DISTRICT TO COOK COUNTY
AND CITY OF CHICAGO

Scale of Miles
0 1 2 3 4 5



Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913

THE SANITARY DISTRICT OF CHICAGO.

The Sanitary District of Chicago, in its original area, covered 185 square miles. The area is now approximately 386 square miles, or more than one-third of the area of Cook County. The territory of the District includes the City of Chicago and 195 [192] square miles in addition. The population of the District is about 97 per cent of that of the County.

The Sanitary District was organized in 1890 to provide for the disposal of the sewage of the City of Chicago and thereby to prevent the contamination of Lake Michigan, from which the City draws its water supply. The main channel, which reversed the flow of the Chicago River, has cost approximately \$24,000,000. The Chicago River, between Lake Michigan and the beginning of the main channel at Robey Street, has been improved at a cost of more than \$10,000,000. The north shore channel, which provides a direct outlet for the sewage of the City of Evanston and the Village of Wilmette, cost \$3,250,000. The Calumet-Sag Channel, now under construction, will prevent the contamination of the waters of Lake Michigan by the sewage of the southern portion of the City by draining the Calumet region, and will cost, it is estimated, \$6,700,000.

In addition to providing for sewage disposal, the District has developed a large water power at Lockport and is generating electric current which is furnished to the City of Chicago, the County, the Park governments, and other municipal corporations at a price considerably less than formerly obtainable from other sources. A portion of this power is also sold to private consumers.

MAP
OF THE
SANITARY DISTRICT
OF
CHICAGO

SHOWING THE MAIN CHANNEL,
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THE VOTERS OF THE
SANITARY DISTRICT
OF CHICAGO



CLERK

TREASURER

CHIEF ENGINEER

ATTORNEY

CONSULTING
ENGINEER

ELECTRICAL
ENGINEER

REAL ESTATE
AGENT

COMPTROLLER

ILLINOIS VALLEY
ENGINEER

PURCHASING
AGENT

POLICE
MARSHAL

CHART OF ORGANIZATION
OF THE
SANITARY DISTRICT OF CHICAGO
SHOWING LINES OF AUTHORITY AND
SALARY RATES FOR ELECTIVE OFFICIALS

Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913

THE GOVERNMENT OF THE SANITARY DISTRICT.

The Sanitary District of Chicago is a separate municipal corporation which levies its own taxes, and which has a complete and elaborate organization for carrying on its work.

The business of the District is controlled by a Board of nine Trustees, who are elected at large from the territory comprising the District. The President of the Board is one of the nine Trustees and is elected both as Trustee and as President.

The heads of the nine departments are elected by the Board to hold office during the pleasure of the Board. All of the officials represented on the chart, except the consulting engineer and the comptroller, are heads of departments. The four upper rectangles represent positions that are authorized by State law; the six lower rectangles represent positions that have been created by the Board.

The employes of the District are not under Civil Service. Subject to the approval of the Board, the President appoints all employes and fixes their compensation. He has independent power of removal.

The nature of the work of the various departments is indicated by the titles of the respective heads.

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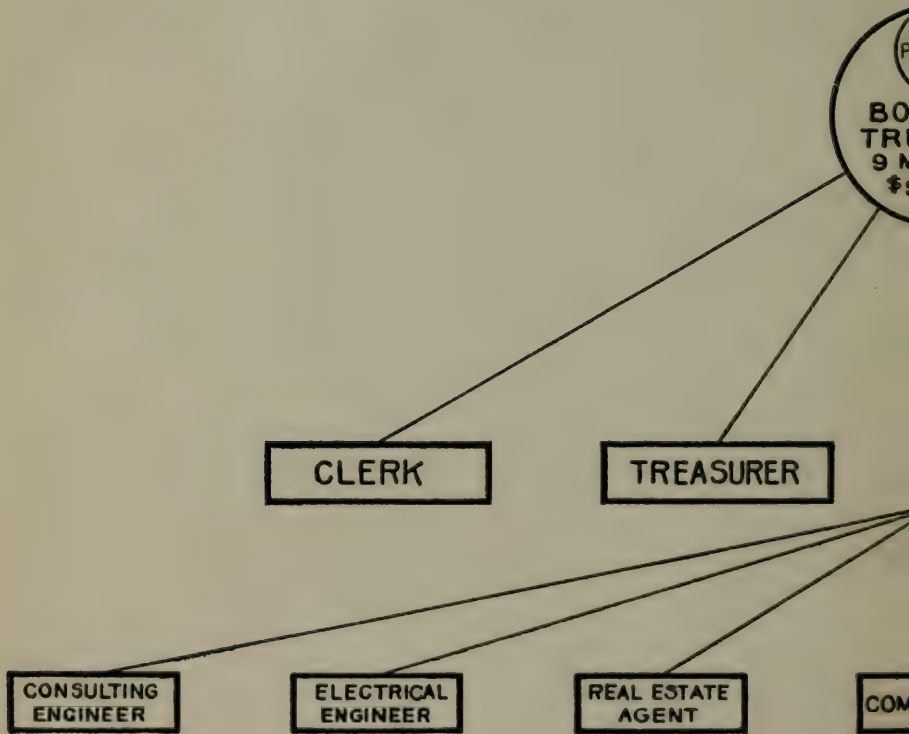


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• **PARK DISTRICTS AND PARKS** WITHIN THE CITY OF CHICAGO

UNDER CONTROL OF PARK COMMISSIONS

LARGE PARK }
BOULEVARD }
SMALL PARK }
FIELDHOUSE AND PLAYGROUND
SMALL PARK WITH FIELD-
HOUSE AND PLAYGROUND
BATHING BEACH

SOLID BLACK

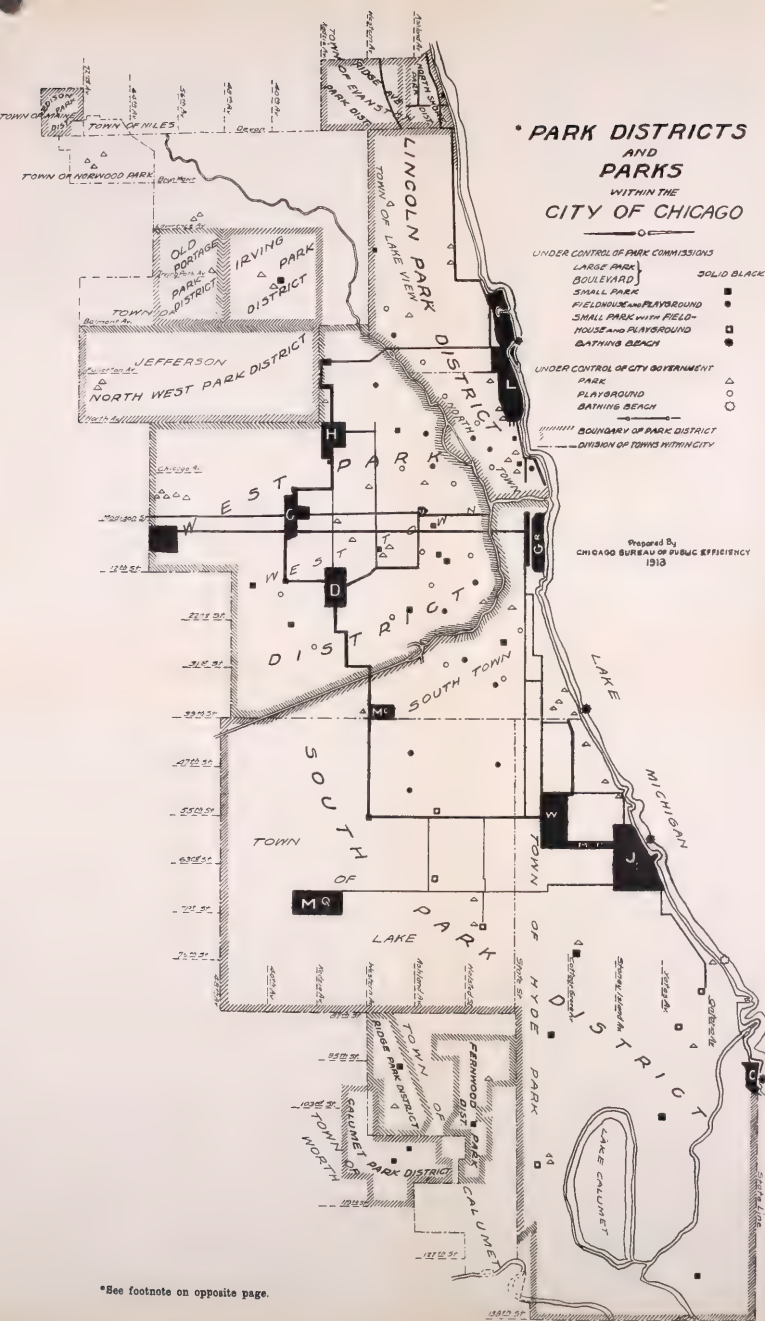
UNDER CONTROL OF CITY GOVERNMENT

PARK
PLAYGROUND
BATHING BEACH

△
○
○

BOUNDARY OF PARK DISTRICT

DIVISION OF TOWNS WITHIN CITY



*See footnote on opposite page.

THE PARK DISTRICTS IN CHICAGO.

The Chicago park situation is unparalleled in any city of this country. There are 13 [now 16] park districts within the City of Chicago—three large and 10 [now 13] small districts.* Only a portion, however, of Calumet Park District is located within the City limits. There are still parts of the City which are not within any park district and the property owners in which pay no park tax.

The three large park districts were organized through special acts of the Legislature passed in 1869. The 10 [13] small park districts have come into existence largely because the communities where they are found were not within any of the other park districts and had no park facilities. They have been organized under a general act of the Legislature passed in 1895, which provides that any territory, no portion of which is included in any existing park district, may be organized into a park district. The question of organizing such a small park district must be approved by the voters within the territory to be affected and must be submitted to a vote upon the

*After the park map and chart had been prepared for this report, three park governments were created by action of the voters within their respective districts. The new districts, in the order of their formation, are the West Pullman Park District, the Ravenswood Manor-Gardens Park District, and the River Park District.

By the annexation of a small tract of the City of Evanston to Chicago, a portion of the First Park District of the City of Evanston has been brought within the limits of the City of Chicago.

The West Pullman Park District comprises approximately the southern portion of the township of Calumet covered on the map by the word "Calumet," extending, however, beyond the City limits.

The Ravenswood Manor-Gardens Park District, which is a half mile square, lies on both sides of the North Branch of the Chicago River at the northeast corner of Irving Park District.

The River Park District comprises all the remaining territory in the township of Jefferson east of 40th Avenue.

By the annexation of Morgan Park to Chicago, Calumet Park District was brought entirely within the City limits.

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petition of one hundred voters residing within the proposed district.

A striking feature of the map is the proximity of the small parks under the control of the City of Chicago and the small parks under the control of the several Park Boards. The City government, acting through its Special Park Commission, maintains a large number of small park areas and playgrounds, nearly all of which are located within the territory under the jurisdiction of the Park Boards. Thus, in many cases, there are two sets of governmental agencies performing the same kind of service within very narrow territorial limits. The waste is apparent.

It will be noted that the very valuable property situated in the down town business section of the City lies entirely within the South Park District. All of the park taxes levied against this property are subject to the control of the South Park Commissioners. The greatest density of population and hence the greatest need for park facilities are found within the territory of the West Park District, where property values are much lower. The inevitable result of this situation is an inequitable division of park facilities.

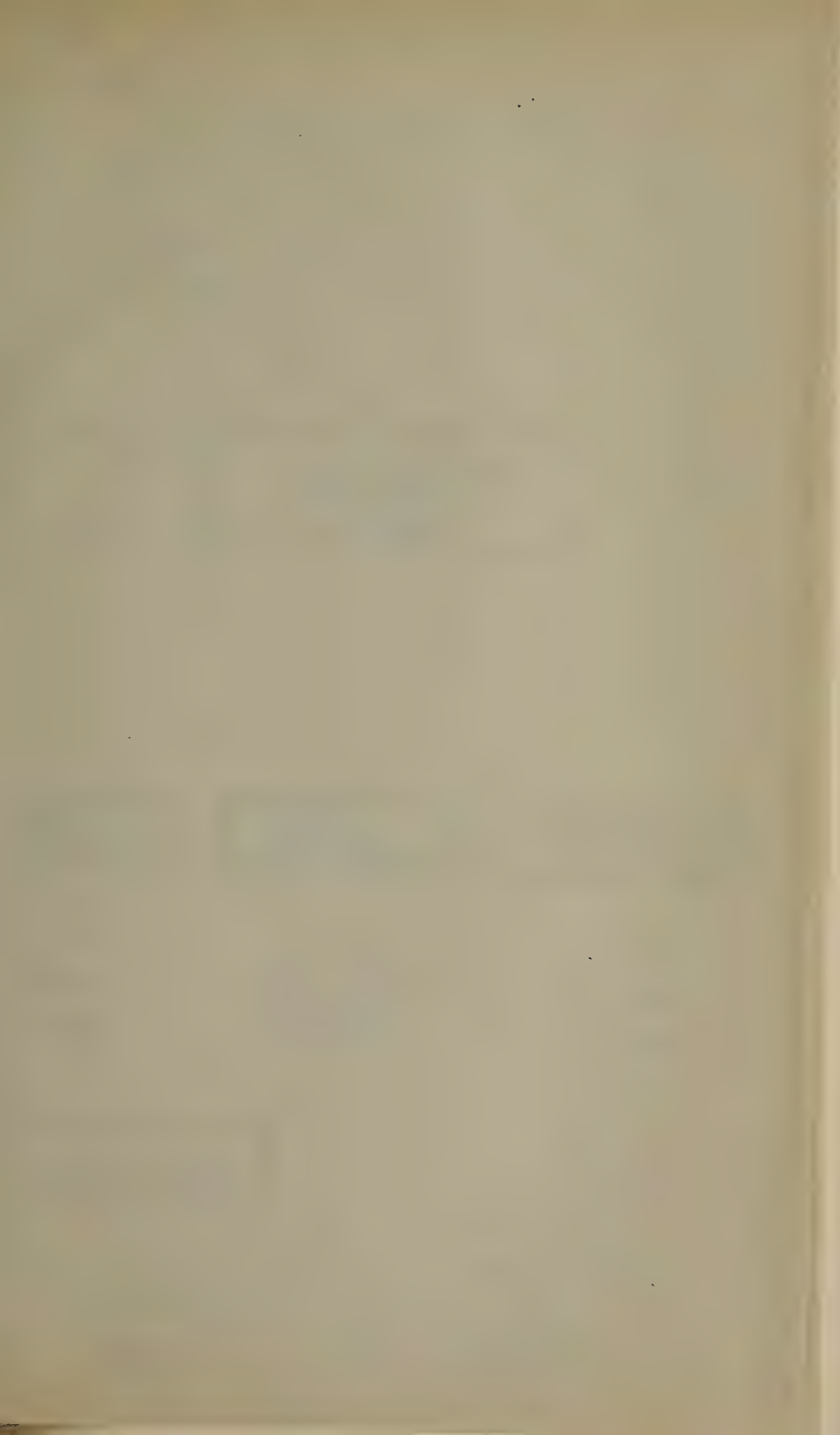
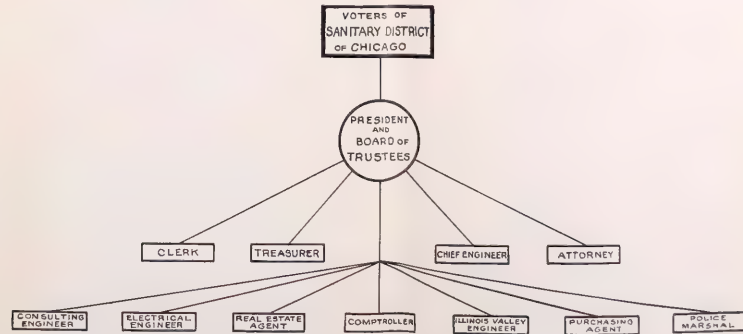
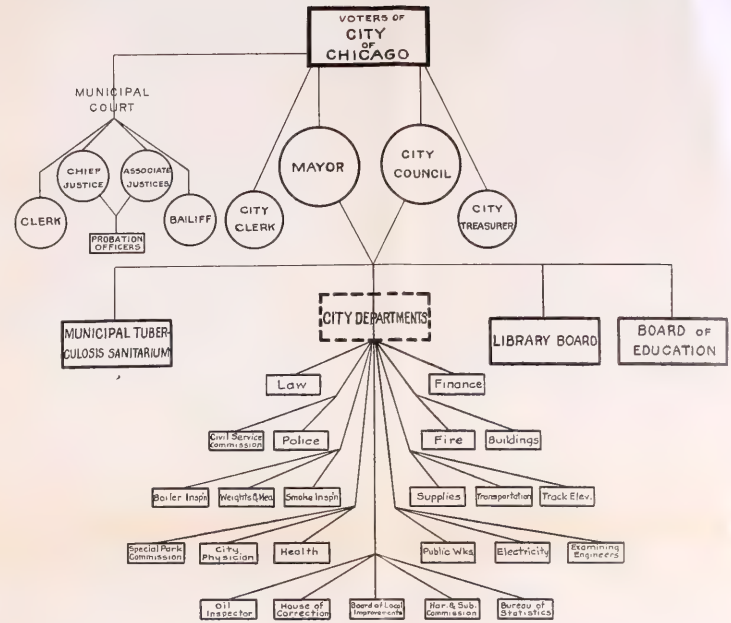
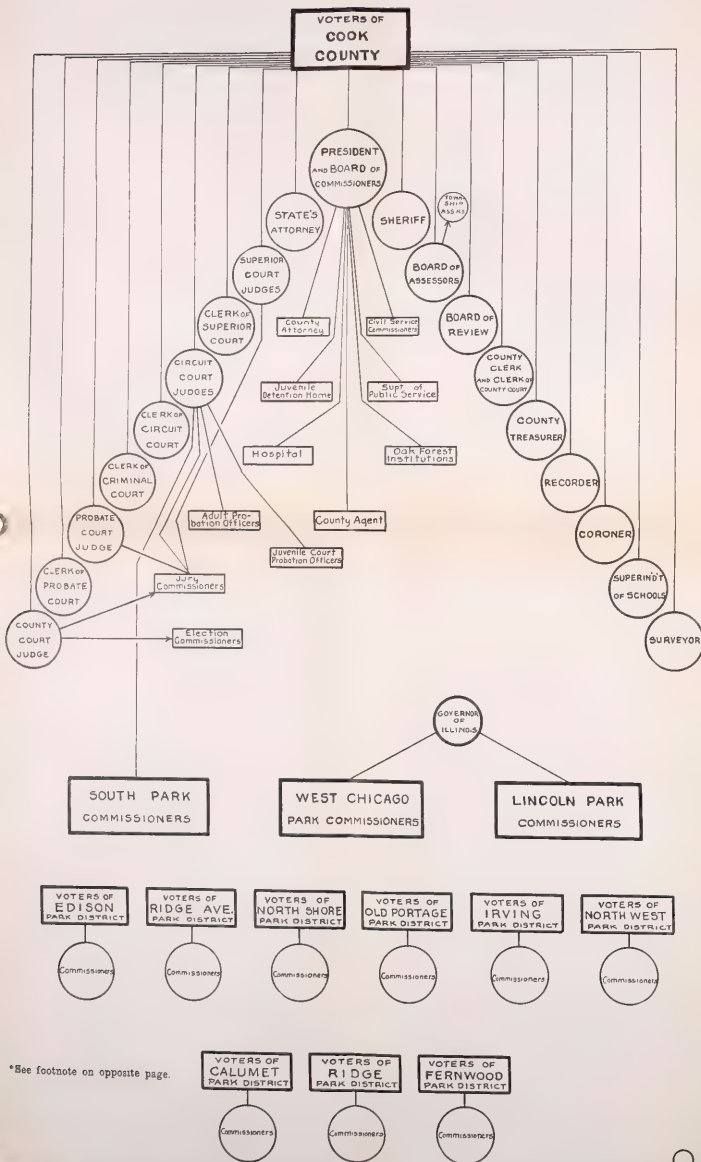


CHART OF ORGANIZATION
OF THE
*EIGHTEEN LOCAL GOVERNMENTS IN CHICAGO
NO CENTRAL CONTROL NO CENTRAL RESPONSIBILITY



*See footnote on opposite page.

THE PARK GOVERNMENTS IN CHICAGO.

Each of the 13 [now 16] Park Boards is independent of the others, and, within the scope of the authority vested in it by the Legislature, is a government unto itself. Each has complete and exclusive control of the park facilities under its jurisdiction. Each has its own organization, more or less elaborate, for carrying on its work and administering its affairs. Including the 15 members of the Special Park Commission, shown on the City government chart, Chicago has 84 [now 99] park commissioners.*

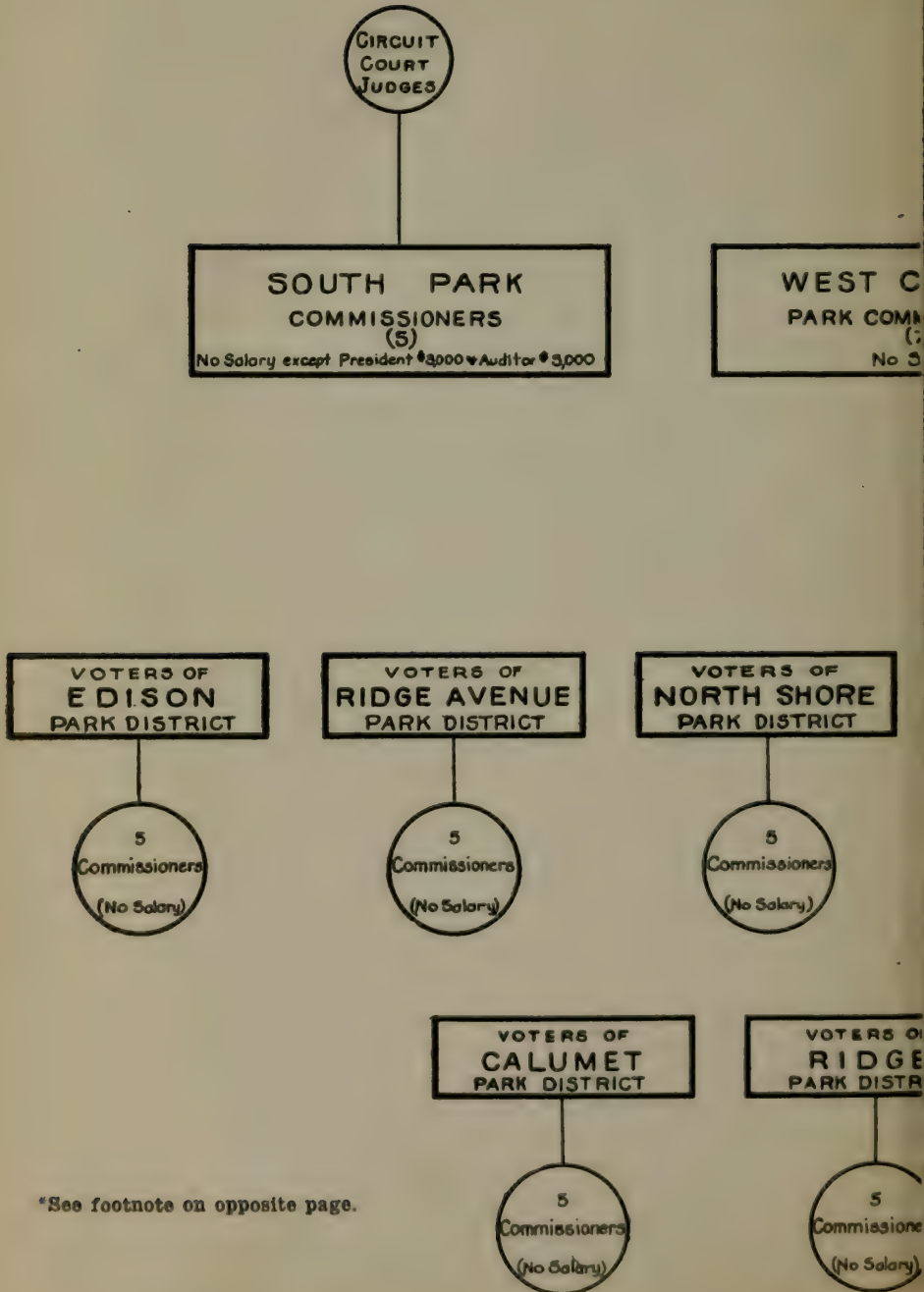
The money for the support of each of the 13 [16] districts is raised principally by taxation. The South Park District and each of the 10 [now 13] small districts are municipal corporations and levy all of their taxes directly. The West Chicago Park District is also a municipal corporation and levies directly part of the taxes which it expends; the remainder of its tax levy is raised by the town of West Chicago. The Lincoln Park Board is not a municipal corporation and has no power to levy taxes. It derives its principal support from taxes levied by the towns of North Chicago and Lake View. There is a wide variance in the amounts which the several Park Boards are able to raise from taxation, and this variance is not at all in proportion either to the park acreage or the population within their respective jurisdictions.

*Since the chart opposite was prepared, four park districts have been added to the number of park governments in Chicago, making 16 in all. Their names with dates of formation are as follows:

West Pullman Park District.....	November 22, 1913
Ravenswood Manor-Gardens Park District.....	September 23, 1914
River Park District.....	October 27, 1914
First Park District of the City of Evanston.....	
.....(Portion Annexed to City of Chicago in February, 1915)	

Each park district has five elective commissioners.

CHART OF OFFICIALS
OF THE
*TWELVE PARK DISTRICTS
WITHIN THE
CITY OF CHICAGO
SHOWING LINES OF AUTHORITY



*See footnote on opposite page.

THE PARK GOVERNMENTS IN CHICAGO.

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Each park district has five elective commissioners.

As indicated on the chart, the several Park Boards derive their authority from three different sources, namely, the Judges of the Circuit Court of Cook County, the Governor of the State, and the voters of the respective small park districts.

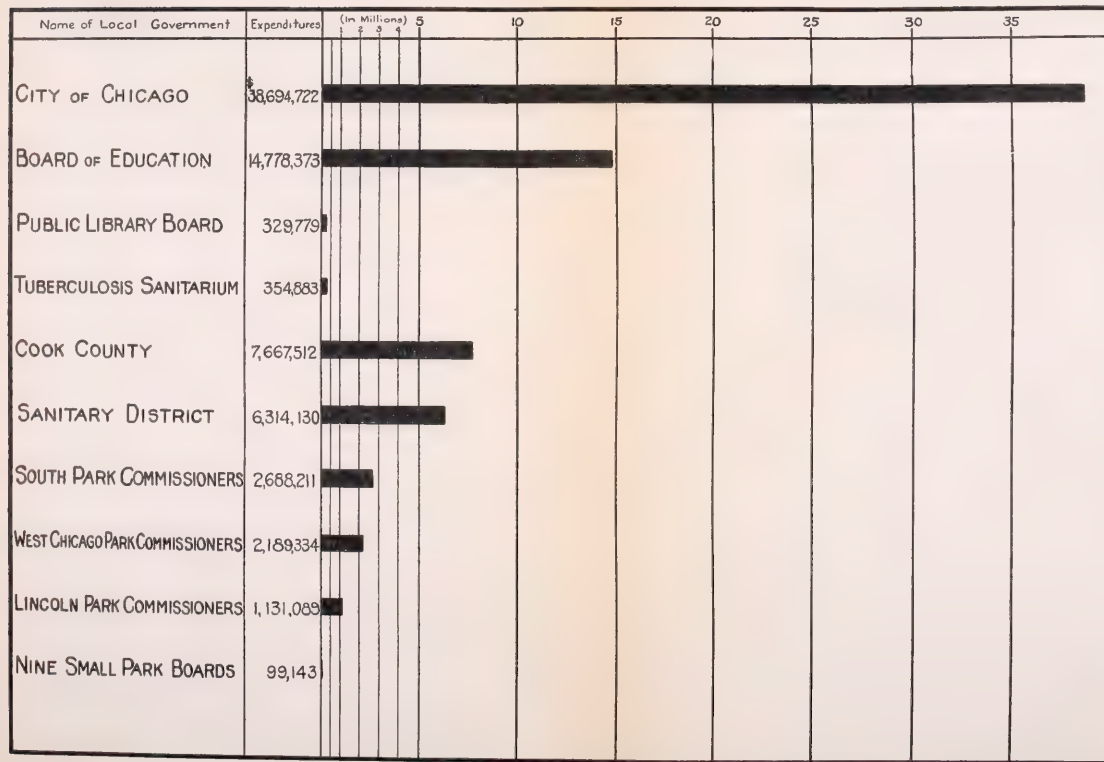
There should be a unification of the operation and management of Chicago's park facilities. Lack of unity in such operation and management not only results in inefficient service to the public, but increases the cost of maintaining the parks. As stated on page 13, the Bureau has estimated that, if the Park governments were consolidated with the City government, an annual saving in operating costs amounting to half a million dollars could be made.

The Legislature at its last session passed a bill providing for the consolidation of the Park governments. The Governor vetoed the bill.

EXPENDITURES OF THE
EIGHTEEN LOCAL GOVERNMENTS IN CHICAGO
FOR THE YEAR 1912

TOTAL \$ 74,247,176

Prepared By
CHICAGO BUREAU OF PUBLIC EFFICIENCY
1913



THE TOTAL BONDED DEBT OF THE EIGHTEEN LOCAL GOVERNMENTS IN CHICAGO AT CLOSE OF 1912 WAS \$69,252,496

THE NINETEEN LOCAL GOVERNMENTS IN CHICAGO.*

[NOW TWENTY-TWO.]

This chart presents in graphic form the striking fact that Chicago has 19 [now 22] active local governments. They are:

The City of Chicago

The Board of Education

The Library Board

The Tuberculosis Sanitarium

The County

The Sanitary District of Chicago

The South Park Commissioners

The West Chicago Park Commissioners

The Lincoln Park Commissioners

Ten [now *thirteen*] Small Park Governments.

The circles on the chart show in striking form also that the voters of Chicago are called upon to elect a very large number of local public officials. The total number is 236 [now 251].† Of this number, there are 106 City officials; 70 County officials; 10 Sanitary District officials; and 50 [now 65] officials in the 10 [13] small park governments. These figures do not include 20 township of-

*Three park governments came into existence and a part of one park district was annexed after the chart shown opposite this page had been prepared.

†This number includes the Commissioners of the West Pullman, the Ravenswood Manor-Gardens, the River Park Districts, and the First Park District of the City of Evanston, not shown on the chart.

1. Introduction

2. Background

3. Methodology

4. Results

5. Discussion

6. Conclusion

7. References

8. Appendix

9. Glossary

10. Index

11. Bibliography

12. Acknowledgements

13. About the Author

14. Contact Information

15. Disclaimer

16. Copyright

17. Privacy Policy

18. Terms of Service

19. Sitemap

20. Footer

21. Introduction

22. Background

23. Methodology

24. Results

25. Discussion

26. Conclusion

27. References

28. Appendix

29. Glossary

30. Index

31. Bibliography

32. Acknowledgements

33. About the Author

34. Contact Information

35. Disclaimer

36. Copyright

37. Privacy Policy

38. Terms of Service

39. Sitemap

40. Footer

41. Introduction

42. Background

43. Methodology

44. Results

45. Discussion

46. Conclusion

47. References

48. Appendix

49. Glossary

50. Index

51. Bibliography

52. Acknowledgements

53. About the Author

54. Contact Information

55. Disclaimer

56. Copyright

57. Privacy Policy

58. Terms of Service

59. Sitemap

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61. Introduction

62. Background

63. Methodology

64. Results

65. Discussion

66. Conclusion

67. References

68. Appendix

69. Glossary

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ficials who serve in the five towns partly within the City of Chicago.*

Multiplicity of elective officials means, in general, a mediocre class of public servants who are not responsive to the public will.

Multiplicity of local governments means duplication of governmental machinery, antiquated administrative methods, inefficient service, and enormous waste.

Chicago needs unification of its local governments and a short ballot.

*The township of Ridgeville, heretofore co-terminous with the City of Evanston, has not elected township officers with the exception of a supervisor. Under present conditions, since a part of Ridgeville lies in Chicago and a part in Evanston, it will be necessary according to law to elect the other township officers. No election has been held up to this time. It is probable that the County Board will change the township boundary lines so as to make the township of Ridgeville co-terminous with the City of Evanston, thus restoring former conditions and obviating the necessity of electing township officials.

THE COST OF THE LOCAL GOVERNMENTS.

The chart opposite shows that the expenditures of the 18 local governments which were in existence in Chicago in 1912 amounted to more than \$74,000,000 during that year. Their total bonded indebtedness at the close of the year 1912 was \$69,252,496. The figures in further detail are given in Table I in the Appendix.

APPENDIX.

Table I.

**EXPENDITURES OF THE
EIGHTEEN LOCAL GOVERNMENTS IN CHICAGO
FOR THE YEAR 1912.**

	TOTAL EXPENDITURES (Maintenance, Operation and Improvements)	BONDS AND INTEREST (Included in Total, Col. 1)	BONDED INDEBTEDNESS AT CLOSE OF FISCAL YEAR
City of Chicago.....	\$38,694,722.44	\$4,260,685.67	\$29,782,400.00
Board of Education.....	14,778,372.90	.....	.....
Public Library Board.....	329,778.80	.....	.....
Municipal Tuberculosis Sanitarium.....	354,883.43	.....	.....
Cook County.....	7,667,511.79(a)	1,180,131.29	9,710,000.00
Sanitary District.....	6,314,130.32	3,486,485.00	17,599,000.00
South Park Commissioners..	2,688,211.02(b)	630,310.00	5,190,000.00
West Chicago Park Commissioners.....	2,189,334.00	159,100.00	4,288,000.00
Lincoln Park Commissioners.	1,131,088.84	92,000.00	2,422,000.00
Calumet Park Commissioners	14,115.75(c)	1,750.00	35,000.00
Edison Park Commissioners..	Organized	January, 1913.	
Fernwood Park Commissioners.....	4,943.74(d)	1,390.00	20,596.00
Irving Park Commissioners..	29,740.74(e)	5,625.00	125,000.00
North Shore Park Commissioners.....	13,197.32(e)	4,074.99	48,000.00
Northwest Park Commissioners.....	987.30(f)	.....	.....
Old Portage Park Commissioners.....	Organized	July, 1912.	
Ridge Park Commissioners..	34,718.96(g)	1,625.00	32,500.00
Ridge Avenue Park Commissioners.....	1,439.28(g)	.....	.....
Total.....	\$74,247,176.63	\$9,823,176.95	\$69,252,496.00

(a) Fiscal year ended December 2, 1912.

(b) Fiscal year ended February 28, 1913.

(c) Fiscal year ended June 30, 1913.

(d) Fiscal year ended April 30, 1912.

(e) Fiscal year ended May 31, 1913.

(f) Fiscal year ended June 30, 1913.

(g) Fiscal year ended May 31, 1912.

PUBLIC OFFICIALS VOTED FOR IN CHICAGO.

NATIONAL.

President and Vice President (chosen indirectly through presidential electors).....	2	
United States Senators.....	2	
Representatives in Congress, 2 at large, 1 in each of 10 districts. ...	12	16

STATE.

Governor.....	1	
Lieutenant-Governor.....	1	
Secretary of State.....	1	
Auditor of Public Accounts.....	1	
State Treasurer.....	1	
Superintendent of Public Instruction.....	1	
Attorney General.....	1	
Trustees of University of Illinois.....	9	
Justice of Supreme Court.....	1	
Clerk of Supreme Court.....	1	
Clerk of Appellate Court.....	1	
Members of State Board of Equalization, 1 in each of 10 districts... 10		
State Senators, 1 in each of 18 districts.....	18	
Representatives in General Assembly, 3 in each of 18 districts.	54	101

COUNTY.

President of County Board.....	1	
County Commissioners.....	10	
State's Attorney.....	1	
Sheriff.....	1	
County Treasurer.....	1	
County Clerk and Clerk of County Court.....	1	
County Recorder.....	1	
Coroner.....	1	
County Superintendent of Schools.....	1	
County Surveyor.....	1	
Members of Board of Assessors.....	5	
Members of Board of Review.....	3	
Judges of Superior Court.....	18	
Judges of Circuit Court.....	14	
Judge of County Court.....	1	
Judge of Probate Court.....	1	
Clerk of Superior Court.....	1	
Clerk of Circuit Court.....	1	
Clerk of Criminal Court.....	1	
Clerk of Probate Court.....	1	65

SANITARY DISTRICT.

Trustees of Sanitary District of Chicago.....	9	
One Trustee to be designated by Voters as President.....	1	10
CITY.		
Mayor.....	1	
Aldermen, 2 in each of 35 wards.....	70	
City Clerk.....	1	
City Treasurer.....	1	
Chief Justice of Municipal Court.....	1	
Judges of Municipal Court.....	30	
Clerk of Municipal Court.....	1	
Bailiff of Municipal Court.....	1	108

PARK DISTRICTS.

Park Commissioners, 5 in each of 10 [now 13] small park districts. . 50	[65]	[65]
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TOWNS PARTLY WITHIN THE CITY.

Supervisor, 1 in each of 5 towns.....	5	
Town Clerk, 1 in each of 5 towns.....	5	
Assessor, 1 in each of 5 towns.....	5	
Collector, 1 in each of 5 towns.....	5	20

TOTAL..... 368 [333]

Table III.

**PUBLIC OFFICIALS FOR WHOM EACH MALE ELECTOR
IN CHICAGO MAY VOTE.**

NATIONAL.

President and Vice President (through presidential electors)	2	
United States Senators	2	
Representatives in Congress, 2 at large, 1 in district.	3	7

STATE.

Governor	1	
Lieutenant-Governor	1	
Secretary of State	1	
Auditor of Public Accounts	1	
State Treasurer	1	
Superintendent of Public Instruction	1	
Attorney General	1	
Trustees of University of Illinois	9	
Justice of Supreme Court	1	
Clerk of Supreme Court	1	
Clerk of Appellate Court	1	
Member of State Board of Equalization	1	
State Senator	1	
Representatives in General Assembly	3	24

COUNTY.

President of County Board	1	
County Commissioners	10	
State's Attorney	1	
Sheriff	1	
County Treasurer	1	
County Clerk and Clerk of County Court	1	
County Recorder	1	
Coroner	1	
County Superintendent of Schools	1	
County Surveyor	1	
Members of Board of Assessors	5	
Members of Board of Review	3	
Judges of Superior Court	18	
Judges of Circuit Court	14	
Judge of Probate Court	1	
Judge of County Court	1	
Clerk of Superior Court	1	
Clerk of Circuit Court	1	
Clerk of Criminal Court	1	
Clerk of Probate Court	1	65

SANITARY DISTRICT.

Trustees of Sanitary District of Chicago	9	
One Trustee to be designated by Voter as President	1	10

CITY.

Mayor	1	
Aldermen	2	
City Clerk	1	
City Treasurer	1	
Chief Justice of Municipal Court	1	
Judges of Municipal Court	30	
Clerk of Municipal Court	1	
Bailiff of Municipal Court	1	38

TOTAL		144
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Table IV.

**PUBLIC OFFICIALS FOR WHOM EACH MALE ELECTOR IN CHICAGO
MIGHT HAVE VOTED AT THE ELECTION OF NOVEMBER, 1912.**

NATIONAL.

President and Vice President (through presidential electors).....	2	
Representatives in Congress, 2 at large, 1 in district.....	3	5

STATE.

Governor.....	1	
Lieutenant-Governor.....	1	
Secretary of State.....	1	
Auditor of Public Accounts.....	1	
State Treasurer.....	1	
Attorney General.....	1	
Trustees of University of Illinois.....	3	
Member of State Board of Equalization.....	1	
State Senator (in three districts only).....	1	
Representatives in General Assembly.....	3	14

COUNTY.

President of County Board.....	1	
County Commissioners.....	10	
State's Attorney.....	1	
County Recorder.....	1	
Coroner.....	1	
County Surveyor.....	1	
Members of Board of Assessors.....	2	
Member of Board of Review.....	1	
Clerk of Superior Court.....	1	
Clerk of Circuit Court.....	1	20

SANITARY DISTRICT.

Trustees of Sanitary District.....	3	3
------------------------------------	---	---

CITY.

Chief Justice of Municipal Court.....	1	
Judges of Municipal Court.....	12	
Bailiff of Municipal Court.....	1	
Clerk of Municipal Court.....	1	15

TOTAL.....		57
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Table V.

**PUBLIC OFFICIALS FOR WHOM EACH WOMAN ELECTOR
IN CHICAGO MAY VOTE.**

NATIONAL.		
President and Vice President (through presidential electors).....	2	2
STATE.		
Trustees of University of Illinois.....	9	
Member of State Board of Equalization.....	1	
Clerk of Appellate Court.....	1	11
COUNTY.		
County Surveyor.....	1	
Members of Board of Assessors.....	5	
Members of Board of Review.....	3	9
SANITARY DISTRICT.		
Trustees of Sanitary District of Chicago.....	9	
One Trustee to be designated by Voter as President.....	1	10
CITY.		
Mayor.....	1	
Aldermen.....	2	
City Clerk.....	1	
City Treasurer.....	1	
Chief Justice of Municipal Court.....	1	
Judges of Municipal Court.....	30	
Clerk of Municipal Court.....	1	
Bailiff of Municipal Court.....	1	38
TOTAL.....		70*

* Women voters residing within any of the ten [now *thirteen*] small park districts or within any of the five [now *six*] townships lying partly within and partly without the City of Chicago may also vote for the elective officials of such park district or township.

PUTTING CHARACTER INTO THE COUNTIES

BY

WALTER A. DYER

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A NEW KIND OF COUNTY HOSPITAL

**How An Iowa Doctor, With a Personal Realization of a Vital Need,
Started a Big Movement That Has Already Found Expression in a
New Law and the First Two Public Hospitals in Rural
Counties.**

In Clay County, northern Iowa, there is a country doctor with a vision and with the will to do. His name is E. E. Munger, and he lives in Spencer, a city of about 3,000 inhabitants. He is a general practitioner with a large rural practice in the surrounding country. From him there came a cry out of the wilderness, and to him has been given the privilege of leading American civilization a step in advance. He is the inventor of the county public hospital system now in operation in at least five states.

Like most country doctors, he had lost many cases that might have been saved if the country offered a man as fair a chance for life as the city affords. His sympathy went out to these country patients and their disadvantages oppressed him. He knew that many of these rural deaths would be preventable if there were adequate facilities at hand for proper surgical or medical treatment. Since these facilities were lacking he was forced to see men and women and children die unnecessarily, and he cared tremendously.

About seven years ago, heartsore at these lost lives that might have been saved, he started a long, hard fight, which he has partly won and partly lost, but in which he is bound to triumph in the end. It was a fight for public hospitals in rural counties.

"If hospitals are good for city people," he asked, "why not for country people?"

His experience had taught him to believe that public county hospitals, readily accessible to the country people, would save lives, make doctors more efficient, prevent malpractice, train nurses, teach hygiene to the community, increase longevity, and lower the rural death rate.

In 1909 Dr. Munger prepared a paper for the State Conference of Charities and Correction held at Davenport in November, entitled "The County Public Hospital as an Economic and Educational Institution." It was the first presentation of a new idea, the first gun in a campaign not yet ended.

In this paper he called attention to a number of interesting facts. He pointed out, for example, that, of the 12,800 mothers who die annually in the United States during childbirth, a large proportion could be saved by proper care and scientific attention. He spoke of 30,276 babies dying from premature birth and 10,052 from lack of care. "What do these figures stand for?" he asked. "Race suicide, race murder, or just plain carelessness?"

Since that time these figures have grown materially, and the fact remains that the country districts, where lack of care prevails, are responsible for a large proportion. The death rate from typhoid is larger in the country than in the city, and typhoid is a disease demanding trained nurses. Appendicitis and other troubles requiring surgical treatment also flourish in the country where facilities are lacking.

The efficient county hospital offered the only hope; that was Dr. Munger's conviction. "There should be developed," he declared, "a public hospital system fashioned somewhat after the public school system, and our national health should be made an ever-increasing national asset"—a big idea for a country doctor to cherish.

Gradually his plan took form. He conceived the idea of a public hospital in every county in Iowa. In the counties not including a city hospital he proposed a public hospital to be supported by a county tax and controlled by an elected board of trustees.

"There will be neither incentive nor opportunity to make such a hospital a money-making institution," he wrote. "Crime and graft in the form of illegal and unnecessary operations, wrong diagnoses for the sake of prolonged treatment, unwarranted division of fees, and other evils cannot go on undiscovered and unexposed. It will furnish its care at the lowest price requisite for proper maintenance; it will not concern itself with

the fees of physicians and surgeons except in those cases in which patients are subjects for charity. It may, however, frown on exorbitant and extortionate charges. It will be conducted on a strictly ethical basis and be made the health centre for a community—a centre from which health information will be disseminated by both precept and example. Its equipment will be complete with every facility for up-to-date work; it will have a pathological and bacteriological laboratory, which should be auxiliary to the laboratory of the state board of health. An ambulance service will be provided. A necessary and most important adjunct will be a training school for nurses. An X-ray laboratory will confer great benefits on both patients and physicians." Such a hospital should be open to all who might need it, without regard to nationality, creed, or resources.

The need for such hospitals in Iowa seemed very apparent to Dr. Munger. The city hospitals were overcrowded, and were located chiefly along the eastern, southern and western boundaries of the state. "For the whole interior of this great commonwealth," said he, "with approximately 2,000,000 people, there are only 799 hospital beds, or one bed for about every 3,000 persons. Authorities estimate that every civilized community requires one hospital bed for every 100 inhabitants."

Most cities of 15,000 inhabitants had hospitals, but not counties of 15,000. In Iowa 80 per cent. of the population lived in small towns and rural districts, and long, difficult journeys, often dangerous to a sick or injured person, separated most of them from hospital aid.

Dr. Munger's chief concern was naturally for a public hospital in his own county, but he discovered that in Iowa counties had no legal authority to build or maintain hospitals. Iowa's hospital law provided for the establishment of hospitals in cities of 5,000 or more people, and there were only twenty-five such cities in the state. To provide hospital benefits for the rural counties an enabling law was necessary; so Dr. Munger was forced to turn his attention to the subject of legislation.

This was a new and untried field for a country doctor, but he had enlisted for the war. He went down to Des Moines, and with the help of the state librarian drafted a bill providing that Iowa counties might, if so voting, establish hospitals, nurses' training schools, and facilities for treating tuberculosis, to the end that county hospitals might be established throughout the state "with equal rights to all and special privileges to none."

It provided that the county supervisors might issue bonds and levy a tax for this purpose, not to exceed two mills on the dollar for a period of time not exceeding twenty years.

The bill was introduced into the Thirty-third Iowa Assembly on February 5, 1909. Senator John Foley of Chickasaw County was its sponsor in the Senate and B. F. Felt, Jr., of Clay County, in the House. It passed the Senate with comparative ease on February 19th, but in the House it struck a snag. In the first place, opposition arose in the county of its birth. Dr. Munger had secured the support of the Spencer Ministerial Union, the local Woman's Club, and other organizations, and Representative Felt went into the fight with a fixed purpose, but the physicians of Spencer attacked the bill. A long, hard fight followed, but at last, within a week of the end of the session, Mr. Felt and Dr. Munger won. The bill was passed on March 31, 1909, and became a law September 6th—the first specific legislation for rural public hospitals enacted in the United States.

Enthusiastic individuals in several counties brought the hospital question before the people, but Iowa conservatism prevented prompt action. Dr. Munger and others saw the need for a campaign of education. They appealed to Mr. Aretas E. Kepford, official lecturer on tuberculosis connected with the State Board of Health. He spread the doctrine of peoples' hospitals throughout the state, but by the end of 1910 only one county—Washington—had taken favorable action. Warm campaigns were conducted in Buena Vista and Cherokee counties, but a rural prejudice against taxes prevented constructive action.

The county hospital proposition was also voted down in Woodbury, Montgomery, Scott, Story, Decatur, Appanoose, Polk, and other counties. Dr. Munger's own county, Clay, rejected the opportunity.

But the work of Munger, Felt and Kepford was not wholly in vain. Down in the southeastern part of the state, in the older section, there were two counties which voted Yes on the proposition and erected the first two public county hospitals in America that are open to all patients and to all legally qualified practitioners of medicine.

In Washington County the moving spirit was Dr. C. A. Boice. He secured the assistance of Mr. Kepford and the backing of the County Medical Society. With the help of Mr. Marsh W. Bailey, a local attorney, he drew up a plan for a one-mill tax for four years to produce a building fund and to be decreased later.

The proposition was carried by a majority of 784 at the election on November 8, 1910.

A plot of eleven acres was presented to the county by Mr. and Mrs. William Perry Wells, in the southern part of the city of Washington, and here the pioneer county hospital was erected under the direction of Mr. Bailey, who was appointed chairman of the first board of trustees. It was dedicated and ready for occupancy July 15, 1912.

Owing to the generosity of churches, clubs, lodges and individuals in furnishing the rooms, the board was able to spend the entire appropriation of about \$30,000 in construction work. The hospital is 80x40 feet, built of reinforced concrete, brick and stone, and is absolutely fireproof. It has three stories and basement, with nineteen private and two five-bed rooms, accommodating twenty-nine patients. The building is designed to furnish sunlight and adequate ventilation in every room. Every room has telephone and electric fan connections, and an indirect lighting system is used throughout. The floors are of terazzo and easily cleaned. Large, light operating, maternity and sterilizing rooms are located on the third floor, equipped with the latest and most serviceable appliances, including two portable X-ray machines. On the first floor is a clinical laboratory. Dining room, kitchen and storage rooms are in the basement, presided over by a graduate in domestic science. There is also an elevator shaft in which an elevator is soon to be installed. Of the eleven acres of ground, two acres are in garden, which supplies the hospital with fresh vegetables.

On November 7, 1912, a Women's Auxiliary to the Washington County Hospital was organized and has proved most effective in furnishing supplies, etc. It now numbers 196 members.

A nurses' training school is conducted in connection with the hospital. The three-year course of instruction is considerably in excess of the requirements of the State Board of Health. Lectures and demonstrations are given by the nursing staff and physicians from September to June. During 1913-14 there were two pupils; during 1914-15 there have been five. The regular staff consists of the superintendent and two graduate nurses.

The first year, 131 patients and nine infants were cared for at a total cost of about \$8,700 to the county; the second year 256 patients and nineteen infants were cared for at the same expense; in two and a half years the total had grown to 526

patients. The first year the deficit was \$3,920; the second year it was \$1,957. In a year or two more, it is hoped, the hospital will be self-supporting.

Already the Washington County hospital has more than justified its existence. Many patients have received skilled hospital treatment who would otherwise have been deprived of it, and incidentally the physicians and surgeons of the county have been growing more careful and efficient.

In nearby Jefferson County, Dr. James Frederick Clarke started a vigorous campaign with Mr. Kedford's assistance early in 1911 and secured the support of the local physicians. A special election was held on March 27th and the county, by a majority of 493, voted a bond issue and a half-mill tax for ten years. A board of seven trustees—all laymen—was organized April 4th. The tax levy yielded \$27,000, and \$4,200 was raised by subscription. Equipment valued at \$8,000 was also donated.

The building was erected in Fairfield, the county seat, dedicated September 17, 1912, and opened October 2d.

In size and equipment the Jefferson County Hospital is similar to its neighbor. It is a three-story building with accommodations for twenty-five patients. It is not entirely fireproof like the Washington County Hospital, but in addition to its neighbor's equipment in operating, sterilizing and laboratory rooms it owns a \$1,700 X-ray apparatus, an ambulance, an electric elevator and a sun porch for winter and summer use. Auxiliary societies have been formed and they furnish supplies.

The nurses' training school was organized November 1, 1912, and provides a three-year course leading to a full certificate. A nine-room cottage was rented near by and furnished as living quarters for the two graduate and five pupil nurses. The superintendent lives in the main building.

The report for the first fifteen months showed 296 patients admitted, and twenty-six births. There were 174 surgical cases. The earnings for the period were \$10,244 and the expenses \$11,392, so that the net expense to the county for maintenance was only a little more than \$1,000.

The hospital is open to all legal practitioners in the county on an equal footing. The board of trustees have complete authority, and there is an advisory committee of three physicians chosen by the County Medical Society.

These two hospitals are the only ones thus far that have been established under the Munger Law, except a special county tuberculosis and isolation sanitarium at Davenport, Scott County,

established under Mr. Kepford's direction. It was opened July 4, 1914, cost \$75,000, and has a capacity of forty patients. Woodbury County has voted \$100,000 for a similar hospital at Sioux City, but definite action has not yet been taken. Constructive agitation is now being carried on in other counties.

But despite the tardiness with which Iowa has taken advantage of its county hospital law, the Munger idea is spreading. Indiana, Kansas, Texas and North Carolina have all passed county hospital laws, and New York has a township hospital law which bears the Munger earmarks. South Dakota and one or two other states are planning to take early action.

In January, 1911, Dr. H. O. Hyatt of Kinston, N. C., started an agitation for county hospitals by writing articles for the newspapers. About a year later the Munger law was passed in North Carolina with some additions looking toward a broad, state-supervised county health organization, which is now being put into operation by Dr. Rankin, head of the state board of health.

In 1913, after consulting with Dr. Munger, the Texas Board of Health prepared a bill requiring county hospitals in counties which include cities of 10,000 population or more, and permitting other counties to build them. This law was passed and was put into operation July 1, 1913. In one year four counties had taken favorable action—Bexar, Tarrant, Wichita and El Paso.

In 1913 Representative J. W. Carnahan of Clay Center, Kansas, introduced a bill which was passed in March, 1913, by the Kansas legislature. It is almost identical with the Munger bill, but applies only to counties of less than 40,000 population or all except six counties which include large cities.

Indiana's law is the same as Iowa's law except that provision is made for a veterinary laboratory. At Columbus, Ind., a movement was recently launched for the building of a \$100,000 county hospital.

Thus the movement is growing. "I predict," said Dr. Munger, "that inside of twenty years every state in the Union will adopt some public hospital system that will offer opportunities to all in the state, including the rural population, and that will be under state supervision."

"What is America's health problem?" he asks. "Briefly, it is to prevent preventable disease, cure curable disease, relieve suffering, and prolong life. Toward the solution of this problem much is being done by states and cities through more and more efficient health departments. But notwithstanding the advan-

tages of natural environment, rural people have not the same opportunity for health conservation that urban residents have. The object of the county hospital law is to make it possible for rural people to provide themselves with the same advantages that city people have in dealing with accident and disease."

The small county hospital offers trained care and good facilities near at hand, the prompt aid that often saves lives, and a short journey for the ill or injured. It offers its advantages at half the cost of equal care at home. It offers sunlight, pure air, freedom from smoke, noise and dust, and the individual attention of trained nurses.

The public hospital is no longer a charity for the sick poor; it is a public requirement in country as well as in city. It is no longer a house of mystery, but a shelter for its own proprietors. Furthermore, the county hospital may be made the centre of an important work in the dissemination of hygienic knowledge.

This is the big movement that an Iowa country doctor has started. It is in line with the other movements looking toward the better organization of country life in America—in all its social, educational and economic phases.

THE SPREAD OF COUNTY LIBRARIES.

How Van Wert County, O., Has Solved the Problem of the Distribution of Good Reading Among Isolated Rural Communities by Means of a County Public Library with Branches in the Country Stores and Collections of Books in the Country Schools.

It is doubtful if 5 per cent. of our total population ever read books or magazines. In our more progressive cities the percentage of readers has been greatly increased by the efforts of municipal public libraries to serve the people, but in the country—representing about 55 per cent. of our population—the average often falls frightfully near to zero.

"Much more than half the men, women and children of the United States live in the open country and in the smaller towns and cities out of the reach of the city libraries," declares Dr. P. P. Claxton, United States Commissioner of Education. "Probably 70 per cent. of the entire population of the country have no access to any adequate collection of books or to a public reading room. In only about one-third of the counties of the United States is there a library of 5,000 volumes or more. In only about 100 of these do the village and country people have free use of

the libraries. In this, as in so many other things, the people who need help most and who would be most benefited by it have been neglected."

Only one hundred rural reading depots in the United States that are really doing their job! One hundred libraries to serve fifty million people! Is it any wonder that not one American in twenty is a reader? Is it any wonder that publishers find the problem of distribution increasingly difficult? Is it strange that the national Bureau of Education and the American Library Association, not to mention Mr. Carnegie and his advisers, should have awakened at last to the crying need for rural libraries?

In New England, and to some extent elsewhere, endowed village libraries are a common solution of the problem; but they presuppose the existence—or death—of a benefactor, and through them the town becomes an object of philanthropy and paternalism, which is not a system to be advocated or extended if we have at heart the best interests of American democracy. The little local subscription library, on the other hand, is too weak and too narrow in its scope to offer a general solution, and the taxable property of most country towns and villages is not sufficient to enable them to support good public libraries unaided.

The answer is to be found in the central library owned by county or township, according to local conditions, and operating an adequate number of rural branches or sub-stations to insure direct contact with all the people. The county has been generally accepted as the ideal library unit, though there are sections of the country where the township or some other unit would be preferable. In Wyoming, for example, there are counties larger than the State of Rhode Island, but their population may be smaller than that of a New York township. It will be understood, therefore, that the term "county library" may be changed to "township library" where local conditions demand the more restricted unit.

"The only help for all," says Dr. Claxton, "is in the county library, supported by taxes levied on all the taxable property of the county, managed by trained librarians, and having branches in all the towns, villages and schools of the county." For poor counties there should be state aid.

California is at present leader in this field with twenty-seven active county libraries, most of them established since 1910. County library laws have also been passed in Ohio, Wyoming, Wisconsin, Minnesota, Missouri, Maryland, Washington, Oregon,

Nebraska, New York and Iowa. All but three of these state provide for a county tax. In New York, Wisconsin and Minnesota the county commissioners are permitted to make appropriations which in Wisconsin and Minnesota have a limit of \$500 annually. The movement has also taken root in Indiana, Illinois and Texas, and early action is expected in a few other states. Minnesota has eleven county libraries, Wyoming nine, and Ohio eight, the other states following with fewer. School district libraries are receiving the greatest encouragement and most adequate support in Oregon. In Indiana the township has been generally adopted for rural library organization.

Many of these states have passed their laws and started the county library movement within the last four or five years, so that it might be considered too early to form an estimate of the efficiency of the plan were it not for the striking success of three or four county libraries in the Middle West, of which the one at Van Wert, O., was the pioneer and is still perhaps the best example. Started nearly ten years before the birth of the California movement, it has been actively and comprehensively serving an entire rural county since January 1, 1901, and has raised the proportion of readers among its constituency from the deadly 5 per cent. to at least 55 per cent., and probably much more. The population of Van Wert County is about 30,000. In 1914 there were more than 16,000 borrowers. More than 92,000 books were circulated.

How have such results been obtained? Van Wert, though particularly favored in some few respects, has done nothing beyond the powers of the average rural county, south, east or west. The county lies in the northwestern part of Ohio. Its 406 square miles are divided into twelve townships. Its population, when the 1910 census was taken, was 29,119, mostly Americans of English, German and Welsh descent, besides about 400 Negroes of the more industrious type. It is a strictly rural county, containing only two towns of more than 1,000 inhabitants, the largest being Van Wert with about 8,000. There is no large city near, and the county is predominantly agricultural. Of its 259,497 acres, 229,580 are under cultivation. Considerably more than half the population live on farms. So much to indicate the nature of the field.

The library movement had its modest beginnings in 1891, when a dozen ladies in the little city of Van Wert organized a reading-room association. In 1893 this had become a subscrip-

tion library, and the Van Wert Library Association was incorporated. By 1894 they had accumulated 600 books and a fund of \$600 and they decided to throw open their library to the public. A room was hired and was opened in September, 1894, with a librarian in charge.

In 1896 the city council voted a tax levy of three-tenths of a mill for the library, which netted \$559 a year, and it was made a free city library. There were still only 1,400 books, and money was needed for more, so that the Library Association continued to raise funds by solicitation and by giving entertainments.

One of the most generous and constant patrons of the library was Mr. John Sanford Brumback, a Van Wert merchant and banker who had grown up and prospered with the community. He became vitally interested in the future of the library and conceived the idea of extending its activities and benefits to include not only the town of Van Wert, but the entire county. He developed the outline of a plan for a county library and considered the erection of a building adequate for this purpose, but failing health made it impossible for him to carry out his intention.

Mr. Brumback died in December, 1897, leaving a will in which he provided for the erection of a substantial library building on the condition that none of his heirs—two sons and two daughters—should raise any objection. They not only voted unanimously to accept this provision, but actively set about to carry out their father's wishes. They drew up a contract to be entered into by the Brumback heirs, the Library Association, the city of Van Wert, and the county commissioners, providing for the erection of the building by the heirs and its donation to the county an agreement on the part of the county to support the library by a half-mill tax, the turning over to the county of the books and property of the Library Association, and the permission of the city to erect the building in its central park. It further provided for the management of the library by a non-partisan board of trustee, two to be appointed by the Library Association, three by the county commissioners, and two by the Brumback heirs, the Common Council of Van Wert City to make the appointments in the event of any of the parties failing to do so. The trustees were to serve for over-lapping terms of three years each.

This proposal was promptly accepted by the city of Van Wert and by the Library Association. The county commissioners

were unable legally to do so, and Mr. Orville S. Brumback, one of the heirs and a former member of the state legislature from Toledo, prepared a bill making it lawful for Ohio county commissioners to bind their counties to the support of libraries by taxation. This bill was introduced March 25, 1898. Its passage was vigorously urged by the Pomona Grange and other organizations of Van Wert County and it became a law April 26, 1898. This was the first effective county library law to be passed in the United States.

Some opposition to the tax arose in the county through a misunderstanding of the scope of the plan, but this soon disappeared and on July 30, 1898, the county commissioners voted to sign the contract and to levy the half-mill tax.

The cornerstone of the Brumback Library was laid with Masonic ceremonies on July 18, 1899. It was a big day for Van Wert. Business houses closed their doors and the whole community turned out. The streets were gay with bunting and hundreds of country people drove in to witness the parade and listen to the speeches. And it was a big day for the United States of America, too, for Van Wert laid the cornerstone of an institution that some day will probably extend over the entire Nation.

The building was erected at a cost of about \$50,000—a substantial stone structure, with steel-truss, tile-covered roofs. The commodious interior provided space for 40,000 volumes, and included a main reading room, two-story stack, basement, and rooms for the librarian and the trustees, and for juvenile and reference works.

The Brumback Library was dedicated January 1, 1901, and was opened to the public on January 28th. Thus a building and a library of 1,800 volumes became county property before a cent of the taxpayers' money had been spent. The first year \$5,000 was available for new books and running expenses. Since then this amount has been increased, but in recent years the county has not been called upon to appropriate the full sum allowed by law. In 1913 the total expenditures of the library amounted to \$8,500.

Previous to the opening of the library the trustees engaged a trained library organizer, Miss Janet M. Green of Chicago, to put into operation a circulation system and to catalogue the 1,800 books turned over by the Library Association. After the first of the year 2,700 more volumes were purchased and a permanent librarian was engaged.

The first borrower's card was made out to Mrs. Brumback, widow of the donor of the building. Scores of patrons came in the first day, and in three days about 300 books had been drawn out. One farmer drove in eleven miles with a list of books that he wanted to read.

As soon as the work of the central library was well under way the trustees turned their attention to the task of extending its benefits throughout the county. They found no precedents for their work, no model to guide them. It was their duty to provide reading for all the residents of the county, however remote from the county seat, and they realized that Mahomet would not come to the mountain: the mountain must go to Mahomet.

The establishment of sub-stations or branch libraries was the logical procedure, and the first steps were taken early in 1901. The town of Willshire, one of the most remote points in the county, was the first to receive a collection of books. On February 19th about 100 volumes were installed in a bookcase in a Willshire hardware store. Other branches were established as rapidly as satisfactory arrangements could be made, not only in the towns, but at convenient cross-roads points. The books were intrusted to the care of storekeepers and postmasters, who at first performed their duties as branch librarians without pay. In a few months, however, it was decided that the work would be better done and necessary requirements could be more freely exacted of the branch custodians if they should receive a small salary. The trustees consequently voted to pay \$50 a year to each in semi-annual instalments.

During 1901 an experimental system was devised for passing on the collections from station to station, and 1,000 books were purchased for the branches, to be returned to the shelves of the central library after going the rounds. This plan was soon modified so that each branch librarian must return his collection to the central library for inspection, repairs, and recording before it was sent to the next station. A date schedule was carefully worked out to secure the best possible results. A total of 2,800 volumes were sent to the nine branches established the first year.

At the end of 1901 the library owned 6,750 volumes, and the average circulation for the year was 107 books a day.

In 1902 other branches were established and an assistant librarian was engaged to take charge of this department. Still more branches were opened in 1903 and 1904, and the system

and the schedules of distribution were improved. In 1906 another lot of 2,000 books was purchased for the branches and in 1908 a system of circulating periodicals through the stations was introduced. This system was improved in 1910, so that now the farmers of Van Wert County have the privilege of reading with a fair degree of regularity such publications as Harper's, Scribner's, The Century, The World's Work, and St. Nicholas.

There are now fifteen active branches, geographically well distributed, located at Willshire, Ohio City, Convoy, Middle Point, Venedocia, Cavett, Dasie, Wetsel, Glenmore, Converse, Scott, Dixon, Wren, Elgin, and in the public library at Delphos.

Not to go too deeply into the details of the distribution system and date schedules, it is sufficient to say that sixteen boxes of about 125 books each are kept constantly in service, four of which are renewed each year. At the larger stations these are regularly supplemented by additional collections. Each box contains a balanced collection of juvenile, fiction, and general works, for which the branch custodians are responsible until their return. Each station is supplied with a bookcase, cards, printed lists, and other accessories.

The efforts of the Brumback Library to encourage reading in the remotest sections of the county have borne gratifying fruit. By this means scores of isolated families have been placed in contact with the world's best thought. Hundreds of men, women and children, previously deprived of the advantages of good reading, have been reached and influenced by this rational, tax-supported agency.

Another development of the extension work of the Brumback Library has been in connection with the schools. The work of the rural schools and the schools of the small towns of the county, resulting in a circulation even greater than that of the branches, is now an important element in the activities of the library and is cared for in a special department under a special assistant.

In 1902 a request came from the superintendent of the Van Wert city school for teachers' cards. The request was granted and the privilege was extended to all the teachers in the county. Clergymen and other special workers are now included. By the end of 1903 fifty-two teachers' cards had been issued.

In 1907 the total number of special cards registered numbered 192, and many of the county schools used collections ranging from ten to fifty books. A special county school collection

of 678 volumes was established and was supplemented by more than three hundred volumes from the central library.

This department became more and more popular, and in 1912 sixty-seven school libraries were in use, and the school collection had been increased to 3,200 volumes. The circulation showed a gain of 8,500 in one year. During 1913 more than 4,200 volumes were lent to teachers in the county, and by 1915 ninety of the 113 schools outside of Van Wert city had availed themselves of the privilege of obtaining school libraries, representing more than 2,900 unregistered borrowers.

A new law in Ohio requires that every rural school in the state shall have a collection of at least fifty books, so that all 113 of the Van Wert county schools will now avail themselves of the advantages of the Brumback Library, affecting 6,000 pupils.

In addition to the rural schools the city schools have been served. The library is regularly used for reference by the 340 high school pupils, and a reading course is now a high-school requirement.

In the other city schools, a carefully selected collection of ten volumes is placed in each of the sixteen rooms representing the first four grades, and the books are lent by the teachers to the children for home reading. These collections are exchanged every two months. During last school year the circulation on these 160 books was 4,332, or twenty-seven circulations for each book.

It has been the policy of the Brumback Library at all times to have a trained librarian at its head. The staff now includes five efficient workers besides the janitor. They act not only as library operatives, but as missionaries of good reading throughout the county, answering all manner of inquiries, addressing teachers' institutes, and visiting the schools and branch stations.

The library now owns 25,897 volumes. The total circulation for 1914 was 92,026, including 46,432 for the central library, 15,368 for the branches, and 25,844 for the county schools. The total showed a net gain of 1,173 over 1913. Total number of borrowers, 16,197.

Since the establishment of the Brumback Library Van Wert County has experienced an awakening all along the line. Good county pikes, county parks, a county fair, a county hospital, and a county Chautauqua are among the evidences of its progressive-

ness. To these are soon to be added an endowed county Y. M. C. A. and an endowed county Y. W. C. A.

Van Wert County has provided for its most isolated citizens an open road to the world of books. Its achievement is an encouragement to the friends of popular education in America.

METHOD AND COST
OF COLLECTING TAXES
IN WESTCHESTER COUNTY

WESTCHESTER COUNTY RESEARCH BUREAU

WHITE PLAINS, N. Y.

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INCORPORATED

15 COURT STREET

WHITE PLAINS, N. Y., MAY 1, 1911

**To the Board of Directors of the
Westchester County Research Bureau,**

GENTLEMEN:

In accordance with your instructions, I herewith submit my report of the results of a study of the conditions governing the collection of taxes in Westchester County, the methods employed in making such collections, and the resultant cost to the taxpayer.

The report also contains suggestions for changes in the law, intended to increase the efficiency and reduce the cost of tax administration.

Respectfully yours,

OTHO GRANFORD CARTWRIGHT,

Director of Research.

PREFATORY NOTE

The Westchester County Research Bureau is non-partisan. It aims to be helpful and constructive; to save time and money to the taxpayers; to show, by the collection and clear presentation of the exact facts bearing upon administrative problems, the true conditions governing such problems; and to aid in the achievement of the following aims:

1. The greatest efficiency consistent with economy in the administration of public office.

2. The greatest economy in the expenditure of public funds, the people's money, consistent with efficiency.

3. Such a system of public accounting as will answer all questions of the condition of public funds at any time.

4. Such a system of public service records as will show in detail the efficiency and fidelity of public employees.

The chief causes of inefficiency and extravagance in our local government are the following:

- (1) The continued use of methods and machinery of administration devised long ago for sparsely settled farming communities and now antiquated and inadequate for the needs of a county filled with large, progressive, and rapidly growing villages and cities.

- (2) The tendency of public officials untrained in administration and unskilled in interpretation of the law, to follow precedent rather than statute, and thus commit unwitting errors and make important omissions.

- (3) The lack of diligence on the part of the citizen body in letting official representatives know its will in matters of governmental policy.

- (4) The occasional existence of official greed, leading to dishonest administration for personal gain—commonly called "graft."

The Bureau believes that through the principle of co-operation with the officials of the various departments of government

part of these causes can be eliminated, waste prevented, and public service permanently placed upon a better basis. The accomplishments of similar organizations elsewhere support and encourage such conviction. Other faults will doubtless require legislation.

The Bureau presents herewith a report on the collection of taxes under the special laws of Westchester County. This report shows sometimes high efficiency, but more frequently lamentable lack thereof, in the administration of the tax laws. There is even lack of complete tax records in several towns. Such deficiencies and gaps as exist in the records have been supplied as far as possible by consultation with those most conversant with the facts, and by comparison with supplementary data.

A summary of the principal features of the report, with page references to the more extended discussion that follows, will be found in Chapter I.

The Bureau has met with the most courteous treatment on the part of public officials. It is felt that this is due in no small measure to the feeling that the Bureau's efforts are co-operative and not antagonistic.

It is a source of gratification to add that such suggestions as it has seemed wise to the Bureau to offer regarding changes that might be advantageous in routine management have been seriously considered and frequently adopted.

The Bureau has been called upon to co-operate in the preparation of schedules for investigation by various committees, and to aid fiscal officers of some of the municipal corporations of the county in the installation of modern accounting systems, and the improvement of existing methods. Service of this kind, the Bureau regards it a privilege to render.

CHAPTER I.

CONDENSED STATEMENT OF TAX INVESTIGATION WITH SUGGESTED REMEDIES

The difficulties experienced by taxpayers of Westchester County, both resident and non-resident, in learning the amount of their taxes and when they are due, and in finding the proper person to whom to pay them, prompted the Westchester County Research Bureau to undertake a study of the methods of collection of taxes in the county. As research progressed, the Bureau was impressed with the great cost of making such collections. It was decided to include a study of the cost added to the face of the tax by the processes of collection. The result has been surprising, as shown in the following pages.

The study began with an analysis of the laws governing the tax administration. It was then carried through the administrative offices of the various communities of the county. The records of supervisors and town clerks have been freely thrown open to the Bureau, and the officers themselves have co-operated in the interpretation of records that were obscure, and in supplying, from their own personal knowledge and experience, data not recorded.

The objects borne constantly in mind during the course of this investigation have been:

1. To compare actual administration with the provisions of the law.
2. To learn whether the law, where actually carried out, has accomplished its apparent purposes.
3. To learn wherein officials misconstrue, neglect, evade, or violate provisions of the law, and to study the results thereof.
4. To propose remedial measures for faults in law and administration.

THE GENERAL LAW

The assessment, levy, and collection of taxes in Westchester County are conducted under the general tax laws of the state, to the point when, at the expiration of the time named in his warrant, or its legal extension, the collector or receiver makes a return of the taxes still remaining unpaid. After that point

the procedure is regulated by Chapter 610, Laws of 1874, as amended, commonly known as the Westchester County Tax Sale Law. (Pp. 10-12.)

Defects of the General Tax Law

The state law falls short of its purposes in three salient features: (Pp. 13-17.)

1. As a result of the unnecessarily complicated character of the law, assessments are frequently illegal.

2. The statutory method of notifying the taxpayer when and to whom to pay taxes does not inform him, unless he expends much time and trouble to secure this information.

3. Laws designed to promote prompt payment of taxes put a premium on delay and inefficiency on the part of the tax collectors.

THE WESTCHESTER COUNTY LAW

The purpose of this special law is to regulate the collection of delinquent taxes in Westchester County. Its principles are three:

1. Public auction of leases on property taxed, for the recovery of delinquent taxes.

2. The privilege of redemption by the owner within one year from the sale.

3. At the expiration of the redemption period, long term lease to the purchaser instead of conveyance of the fee. (Pp. 17-21.)

Defects of the Westchester County Law

The cardinal defects of this special law are:

1. The vague and contradictory nature of certain provisions, giving rise to greatly varied interpretations and practices.

2. Absence of provision for important features of administration, leaving grave matters to the discretion of untrained officials.

3. No conclusive ascertainment of the validity of the tax or of its nonpayment before sale.

4. Undue cost of delinquency on small parcels of land, amounting to exploitation of the delinquent.

5. Entire uncertainty as to the validity of the lease.

6. Failure to effect final disposition of delinquent properties for the recovery of accumulated unpaid taxes and costs.

HOW ADMINISTRATION DIFFERS FROM STATUTE

Because of vagueness and inadequacy of the law, as well as of inefficiency on the part of public officials, many diversities in administration of the law have grown up and become established in practice in different parts of the county.

The Return of Unpaid Taxes

It is a common practice to give the collector of taxes as great extension of time as possible, in order that he may collect as much as possible before the tax is increased by the second penalty (7 per cent.) which the town board is compelled by law to add to the unpaid return. The renewal of the collector's bond for such extension is usually omitted.*

The law that the supervisor shall give the collector duplicate receipts for his return, is complied with in few townships, because the collector seldom makes a correct return. The county treasurer states that copies of such receipts are never filed in his office, as the law directs, to act in reduction of the collector's bond.

Thorough reviews of the collector's return by the town board are scarcely ever made, and in some towns, delinquent taxes are re-levied instead of going through the process of collection by tax sales. This encourages delinquency.

The law regulating the percentage penalties for delinquency, is variously interpreted as meaning a total of 12 per cent., 12.35 per cent., or in some cases only 5 per cent. up to the time of advertising the sales. (Pp. 22-23.)

Advertising

Although the authorities profess to pay a "legal rate" for the required advertising of tax sales and redemptions, the widest

* Tax Law, Section 85; County Law, Section 150; Consolidated Laws of 1909.

divergence is found in these rates, which range from several dollars to a few cents an inch, newspaper column. (Pp. 23-24.)

Auction Sale

Public auction of delinquent properties has come to be a mere formality. Would-be purchasers of leases have learned the invalidity of tax liens in Westchester County, and are reluctant to invest money in such insecure titles. Bidders for delinquent properties at tax sales, therefore, seldom appear, and the town perfunctorily purchases all but a small percentage of such delinquent parcels, paying the delinquency out of town funds, with the expectation of re-imbursement when the property is redeemed by its owner. How this expectation works out is shown in the body of this report. (Pp 23-24.)

Fees of Doubtful Legality

Questionable fees are charged by town officers for services and legal papers connected with the tax sales. These questionable fees amounted to over \$7,000 in 1909. They amounted to over \$33,250 in five years, and are increasing yearly. (Pp. 25-27.)

Incomplete Records

The tax sale records in the county treasurer's office are incomplete, many sales not being recorded there. (Pp. 27-28.)

Leases Pile up on the Same Property

At the expense of the taxpayer the town's purchases are leased to the town at the end of the redemption year. At the same time the same properties are re-sold for the subsequent year's taxes. The town, year after year, leases and re-leases to itself, properties which it already holds on leases of preceding years. There seems to be no limit to this rolling up of leases, few worth anything to the town.

The administration of tax leases in some of the towns either brings about confiscation of small parcels or demonstrates inadequacy of the law. (Pp. 28-32.)

THE COST OF COLLECTION UNDER THE SYSTEM

Two Hundred Collectors

The collection of taxes in this county is carried on by more than two hundred collectors and receivers of taxes; one set for state, county and town taxes; another for school taxes; and others for village and city taxes.

The Collection of the General Taxes Alone in the Nineteen Townships Cost \$75,000.00 Last Year

This amount would more than pay for the collection of **all the taxes in the county** (school, village, city, state, county and town) if properly administered under a wise system of law.

Great Variation in Cost

This cost varies greatly in the different townships. A graphic illustration of this variation is given on page 42. The percentage of cost added to the face of the tax by collection charges ranges from 2.45 per cent. to 21 per cent. for collecting the total levy, and from 12 per cent. to 105 per cent. for collecting delinquent taxes.

The foregoing and many other abnormal conditions are found in the administration of the tax law in Westchester County. It is believed that the following proposals, if carried into effect, would reduce this uncertain and varying system to uniformity, and greatly diminish cost of collection. (Pp. 32-35.)

REMEDIES RECOMMENDED

The Bureau proposes:

1. That the Westchester County special tax laws be repealed.
2. That a simplified method of assessment be adopted and all taxes on real estate be assessed on the property instead of on the owner.
3. That all ad valorem taxes of all kinds upon the same property be levied upon a single assessed valuation in the manner outlined on page.
4. That all such taxes voted within the year be combined in a single annual tax bill, for collection through a single central office.
5. That the present system of over 200 collectors be abolished, and that all taxes of the county be collected by a county receiver or the county treasurer, with necessary deputies, who should be paid salaries.
6. That so far as possible all fees pertaining to tax administration be abolished.
7. That the payment of taxes in semi-annual installments be optional with the taxpayer.
8. That tax bills, with information as to taxes, assessments, general purposes of the levies, dates for

payment, and consequences of delinquency, be sent to every record owner of real property and to every person taxed personally.

9. That sending bills be a ministerial duty only, and not essential to the validity of the tax lien.

10. That the collected taxes be distributed by the county receiver to the various local boards and bodies according to their several levies; no local body having anything to do with making actual collections.

11. That the collection of delinquent taxes be conducted by the central authority by proceedings to judgment and sale, of such a character that the tax title will be valid, if certain simple requisites be complied with which will always appear of record at the county seat.

(Pp. 36-40.)

CHAPTER II.

THE COLLECTION OF TAXES IN WESTCHESTER COUNTY

THE GENERAL LAW

Gathering taxes in New York State involves three distinct processes. Each is sub-divided into many separate steps, and each step must be taken in the order prescribed by statute, to avoid the risk of illegality and consequent invalidation of the tax. These processes are:

- I. Assessment, or valuation, of taxable property.
- II. Levy of taxes.
- III. Collection of the sums levied.

The principal features of these processes, stripped of details, are stated in the following outline:

I. Assessment

1. Assessors must be duly elected and must qualify for their office according to law.
2. Between May 1st and July 1st of each year (or between April 15th and July 1st, where there are incorporated villages) these assessors must make up their assessment "rolls," or lists, of the owners of all prop-

erties in their tax district, and the values of such properties in the manner specified in the statutes.*

3. On or before August 1st the rolls must be finished and ready for public exhibition. Immediately notice must be published that the assessment rolls are complete and will be left at a stated place for public inspection until the third Tuesday in August.

4. On the third Tuesday in August, the assessors must meet to hear complaints of unfair assessments, and make necessary corrections.

5. When a roll is thus amended, the assessors must certify to its completeness and correctness and make two complete copies.

6. On or before September 15th, one duly certified copy must be filed with the town clerk as a public record. The other must be kept by the assessors.

7. On or before October 1st, the original corrected roll must be given to the supervisor of the tax district.

8. At the annual session of the county board of supervisors each supervisor must present his tax roll to the board, and the board must examine all the tax rolls and see that the valuations of property are made in just and equal proportion, over the whole county. If there is any unfairness in assessment, they must correct it, but must not change the total for the county. This is called equalization. The rolls are now ready for the levy of taxes.

II. Levy of Taxes (Usually in the Order Given)

1. The state comptroller must notify the county board of supervisors what the county's share of the state taxes shall be, and for what purposes levied.

2. Each town board must vote what amount is necessary to be raised to meet the town's annual expenditures and submit that amount to the board of supervisors for approval.

3. The board of supervisors must make up the

* Paragraphs 20-49, Tax law (See Consolidated laws of 1909). Room is lacking in this report for the intricate legal specifications as to the form of the assessment roll, compliance with which is in many cases difficult.

budget necessary to meet the expenditures for county government.

4. When these amounts have all been passed by the supervisors, they are apportioned according to statute among the various towns; and, the various tax rates having been authorized by the board, each supervisor spreads the tax of his district upon his tax roll.

5. The board of supervisors then issues the proper tax roll and a warrant to each collector, ordering him to collect the taxes upon the roll, and pay the sums collected to parties designated, for that purpose, in the warrant. (In Westchester County the town collector pays to the county treasurer and the supervisor only.)

III. The Collection

(1.) By the collector.

1. Upon receipt of the tax-roll and warrant the collector must publicly advertise, by posting notice in at least five conspicuous places.

(1) That he has received the roll and warrant.

(2) That taxes are due and payable at a stated date.

(3) That he will attend at stated times and places to receive payments.

(4) That for the first thirty days he will receive taxes with the addition of one (1) per cent. as his fee for collection; that thereafter five (5) per cent. will be added as such fee.

2. The collector must attend and receive payments as advertised.

3. At the expiration of the whole term of his warrant, he must make a list of all unpaid taxes, add to each tax five (5) per cent. penalty in a separate column and return such list to the supervisor of his town, with a certificate that he has done all required by law and has not been able to collect the sums returned.

4. On the face of the total return of taxes unpaid the supervisor must pay him two (2) per cent. of the amount so returned.

(II.) By the supervisor; the collection of arrears.

This is conducted under the Westchester County Tax Sale Law, and the process is so different from that employed in the rest of the state that the subject is reserved for a later chapter of this report.

Such is the substance of the law. The statutes themselves if published in a conventional 16mo volume, would fill several hundred pages.

To all this complexity is added a separate levy and collection of school taxes, and a separate levy and collection of village and city taxes.

INCONGRUITIES OF THE LAW**Three Salient Paradoxes**

I. The complicated character of the assessment laws has the effect of making most assessments illegal.

II. The legal method for informing the taxpayer tends to keep him in ignorance.

III. The laws for the promotion of prompt payment put a premium on delay and inefficiency in collection.

I. Assessment

The laws of assessment of taxable property are elaborated with many details, giving what is intended as specific instructions for each step in preparing an assessment roll. The attorney general of the state has delivered an opinion to the effect that there is no good reason why assessments should be illegal and tax liens on taxable property consequently invalid, "if county officials would follow the plain provisions of the tax law, in which each step is described in detail."

The chief difficulty is that the provisions of the tax law are not plain, when applied to local conditions. They are complex and confusing. Skilled and experienced attorneys find themselves unable to say just how to comply with some of them. The majority of assessors are neither attorneys nor versed in the interpretation of laws. The same is true of supervisors. More than likely, they follow precedent—do as their predecessors in office have done—rather than give any great care to an independent study of the laws governing their office.

The result is a great many styles and varieties of tax-

rolls, * and a corresponding number of illegal rolls, the assessments and levies spread upon which violate the law in various details, which violations the courts have repeatedly held ** to invalidate tax liens, and render the taxes uncollectible. **It is doubtful if a tax-roll can be found in the entire county which complies with the law in all particulars.**

What is the result? The stage has almost arrived wherein **nobody need** pay his taxes if he is disposed not to do so. **The courts uphold a property owner in resisting payment under illegal assessment.** Eventually the owner of real property is supposed to meet the taxes justly due from him, but cannot be required to until the assessments and levies comply with the law.

No one will deny that this is a state of affairs which demands a remedy.

II. Publication of the Tax Notice

How does the taxpayer learn the amount of his taxes, when they are due, and where to pay them? Here is the process that the law makes necessary.

1. Search the bulletin-boards or local papers carefully for published notices that taxes are due and when and where to pay them. The times and places for such publication are left indefinite.

2. Go to the collector's place of "sitting," as it is called—often make several fruitless errands because he does not always attend as advertised—to pay the taxes.

3. Frequently abandon in disgust this time-consuming process, and let the taxes go to sale, as costing less in the end than the trouble and expense of the present method of paying them.

Simple Finance

The collection of taxes is plain financial business. Contrast the method under discussion with that of an enterprising modern business corporation. There are many such handling accounts as large as those of the entire County of Westchester.

* The Bureau has found no two alike in the entire county, except for different wards of the same city.

** For citation of cases, see Birdseye Annotated Edition of Consolidated Law. Cf. Tax Law, paragraphs 20-49.

Imagine one of these business houses depending upon a bulletin-board notice, or an advertisement in an obscure corner of a newspaper that accounts are due at a certain time and that the details may be learned by calling at the company's offices!

Imagine such a business house changing its place of business and its cashier and clerical force every time a customer had a payment to make! Prompt payment would scarcely be expected under such management, and the customer would think such changes good excuse for delays.

The business house sends its patrons bills at regular intervals and collects closely and promptly. Our local government requires the taxpayer to ascertain anew each year when, where, and how he can learn the amount he owes, and where, when, and how he can pay it. Is it good business for the government? Is it helpful to the taxpayer?

Tax Bills

A simple remedy for one element of these conditions in use in other states, and voluntarily adopted by several towns of Westchester County is to send a tax-bill to each taxpayer whose address is known, as soon as the roll and warrant are received by the collector.

Experience shows the value of this slight change. The towns using it, with the percentages of the total levy collected by the collectors working on this plan are:

Rye	97.3 per cent.
Ossining	96.6 per cent.
Cortlandt	95.2 per cent.

The collector of Bedford sends his bills at the expiration of the first thirty days, and repeatedly after that, for reasons which will appear in the following pages. He also collects very closely.

Bedford	96.3 per cent.
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The cost of sending such bills is much less than the penalty added for tardiness in payment.

Compare these collections with the towns using bulletins and newspaper notices only, or sending late bills in a desultory way.

Eastchester	85.4
Greenburgh	87.7 *

* In such towns as Greenburgh and Mount Pleasant, there are thousands of vacant lots practically abandoned. These

Harrison	82.4
Mamaroneck	85.1
Mount Pleasant	82.0
White Plains	81.5 etc. **

The chart on page 41 illustrates these collections.

The opinions of tax and title lawyers whom the Bureau has consulted with reference to this feature of tax collection may be summarized in these words:

"Let people know promptly what their taxes are, what they are for, and when and where to pay them, and many difficulties of collection disappear."

III. Premiums Upon Delay and Inefficiency

According to law, the taxpayer must pay the collector, in addition to his tax, one (1) per cent. of such tax, if paid within thirty days from the publication of the collection notice; and five (5) per cent. if paid after that period. This law was framed, evidently, to give the taxpayer an incentive to pay promptly. But it has never served its purpose in the many years of its existence. Why?

In the first place, with few exceptions the public is not adequately informed concerning its taxes by the bulletin-board system.

In the second place it is against the collector's interest to collect until the expiration of thirty days, because the law gives:

On all sums collected in the first thirty days, 1 per cent.

On all sums collected after that time, 5 per cent.

On all sums returned unpaid, 2 per cent.

properties annually go through the farcical process of assessment to a supposed owner, who may or may not be assessable therefor; of sale and lease with payment of all attendant fees out of the town treasury, with vague hopes of getting it back through a redemption, with no final disposal of any such properties. This fact accounts in some measure for low percentages of collection in such towns.

** It should be added that most of the towns adopt some method of reminding taxpayers of their delinquency after thirty days. This is ordinarily a memorandum of the amount due. This is sent out once. In all the towns the law requires the tax collector to call upon every delinquent, after thirty days, and personally demand his taxes.

For example, if the town's levy is \$50,000 the collector's maximum receipts would be:

If all collected in thirty days \$500.00

If all collected after thirty days 2,500.00

If all returned unpaid 1,000.00

It is most to the collector's interest to collect all after thirty days.

It is more to his interest to collect nothing than to collect anything promptly.

It is found however that where the collector is salaried, and the commission system abolished, there is no incentive to delays, and collections are closest and most prompt. The town that collects most closely and promptly in the county, * has a salaried receiver, who receives no fees, keeps his office open from 9 A. M. to 5 P. M. and sends out tax bills as soon as he receives roll and warrant. He handles a quarter of a million dollars annually in collections, at a cost of less than two (2) per cent.

CHAPTER III.

TAX SALES UNDER THE WESTCHESTER COUNTY SPECIAL LAW

The general assessment, levy, and collection of taxes, up to the time of the collector's return, does not differ materially in Westchester County from such operations in the rest of the state. It is only in the collection of arrears, by sale of the property taxed, that Westchester employs a special method. The tax sale titles in the state at large are generally found by the courts to be invalid. In Westchester County they are a little worse than elsewhere.

Eliminating from this study the collection of school, village and city taxes, which are all regulated by special laws or charters, this report considers the general tax only, which consists of town, county and state levies.

The collection of arrears of these taxes is conducted under

* Rye.

the Westchester County Tax Sale Law, originally passed as Chapter 610, of the Laws of 1874, and amended by the following acts:

- Chapter 332 of the laws of 1875.
- Chapter 193 of the laws of 1877.
- Chapter 506 of the laws of 1880.
- Chapter 627 of the laws of 1887.
- Chapter 131 of the laws of 1891.
- Chapter 300 of the laws of 1897.
- Chapter 338 of the laws of 1901.
- Chapter 365 of the laws of 1901.

The plan of this law is (1) public sale of leases on the property taxed for the recovery of unpaid taxes, (2) the privilege of redemption by the owner within one year from the sale, and (3) long term leases instead of complete conveyance of property remaining un-redeemed at the end of the year after sale.

In exposition of how these principles are worked out, there follow:

- I. A summary statement of the law.
- II. A statement of some of the varied interpretations and departures from the law, in the process of administration.
- III. An explanation of the farcical nature of tax leases in Westchester County.

I. THE WESTCHESTER COUNTY TAX SALE LAW

(A brief summary.)

(1.) Formulating the Deficiency.

1. The collector's return.

(1) In ten days after the expiration of his warrant the collector must give the supervisor of his town a list of all unpaid taxes, with 5 per cent. added to each tax, in separate column.

(2) The supervisor must pay the collector 2 per cent. of such return.

(3) The supervisor must give the collector duplicate receipts for the amount of his return. The collector must file one copy with the county treasurer in part satisfaction of his bond.

2. Supplying the deficit.

(1) To make up the deficit in town funds resulting from unpaid taxes, the supervisor must borrow on town credit for not more than one year, the amount of such deficiency.

(2) If the supervisor fails to borrow such deficiency, in case of need the county treasurer must borrow on county credit the amount due the county, out of these taxes, and charge the same to the delinquent town in the next levy of taxes.

3. Preparing the taxed properties for sale.

(1) The town board must review the collector's return to see if any assessment is erroneous or any property imperfectly described.

(2) It must reject all erroneous or imperfect assessments, and file a copy of such rejections with the town clerk.

(3) The supervisor must make a corrected list of such rejected assessments, and return to the town board.

(4) The supervisor must present such list of corrected assessments and taxes to the board of supervisors at its next annual meeting for re-assessment.

(5) The town board must add 7 per cent. penalty, in addition to the 5 per cent. added by the collector, to all unrejected taxes.

(II.) The Tax Sale***1. Advertising.**

(1) Three weeks before the first Tuesday in October of the same year, the supervisor must advertise lands on which taxes still remain unpaid. These must be sold on the first Tuesday in October.

(2) The advertisement must be made (a) by posting the full list of lands and properties, with the taxes due, in six public places in the town, and (b) by adver-

* The term, "sale" in these paragraphs is the word used in the statute. It means the sale of a privilege of leasehold on the delinquent property.

tising the same list once a week for three weeks in one newspaper, if any is published in the town. The paper is to be designated by the town board.

(3) The advertisement must state that the lands will be sold to the bidder, at public auction, who will pay the taxes, penalties and other charges due, and in return take a lease of the lands for the shortest time.

2. The sale.

(1) On the first Tuesday in October, the supervisor must sell at public auction, on the terms above specified, all the parcels of land on which the taxes then remain unpaid.

(2) If there are no other bidders, the supervisor must bid in the lands for the town as purchaser.

3. Records and fees.

(1) The supervisor must give to the purchaser a certificate of his purchase, specifying the terms and the amount paid, and when the purchaser is entitled to a lease. There is no fee provided for the issue of this certificate.

(2) The town clerk must countersign and record in his office every such certificate. For this service he is allowed 25 cents for each certificate.

(3) The supervisor must file a duplicate of every such certificate with the county treasurer so that the latter may make up a book record of such sales as prescribed by the statute. * *

(III.) Redemption.

At any time during the following year, the owner or mortgagee of the property may redeem it by paying the taxes due, the penalties, the cost of advertising and sale, and interest from the date of sale, at 12 per cent. per annum, on the total amount of taxes and costs.

(IV.) The Lease.

1. Advertising.

Three weeks before the end of one year from the

* * — "and no such sale shall be valid unless such certificate shall be so filed and indexed." (Ch. 506, laws of 1880.)

date of sale, the supervisor must advertise, in the same manner as for the sale, that lands remaining unredeemed from the sale of the previous year, will be leased at the end of that year, as per the terms of the sale, to the holder of the certificate of such sale.

2. Redemption after advertising.

Lands may still be redeemed up to the end of the year, by paying all previous charges plus the cost of advertising.

3. Execution of the lease.

(1) On the date advertised, the lease is executed, and the purchaser may then enter into full possession of the property for the term of the lease.

(2) He may dispossess anyone occupying the same, and may improve or convey the property for the term of his lease.

(3) The owner may not redeem his property after the execution of the lease, except by consent of the lessee.

4. Records and fees.

(1) The supervisor is entitled to receive for drawing the lease \$1.00 each for the first 100 in any one year, and 50 cents each for the rest.

(2) The town clerk is entitled to receive 50 cents each for recording the leases.

5. The lease and "title."

(1) A sale to the town is declared to vest the title of the property in the town,* as it would in any other purchaser, and the town may enter into full possession of such property, rent it, sell it, or improve it for town use.

(2) The town must provide for the taxes due each year on such property and pay them.

* Laws of 1877, chapter 193, section 10 "—and the title to the lands so leased shall thereupon become vested in the town, and may be conveyed as hereinafter mentioned, or used, or occupied and enjoyed for town purposes." There is much disagreement among attorneys and among officials as to the interpretation of this provision of the law.

II. HOW THE LAW IS EXECUTED

(Various interpretations, and departures from the law in actual practice.)

The Tax Deficiency

The collector's "return" delayed.

The warrant of the collector is frequently extended thirty or sixty days and no particular note is made of tardiness thereafter on the part of the collector. The law requires a renewal of the collector's bond when his warrant is extended. This, however, is almost never done.

Supervisor's receipt not filed.

For the collector to file with the county treasurer a duplicate of the supervisor's receipt for his return would seem to be necessary, inasmuch as that receipt should act in reduction of the collector's bond.* But the county treasurer states that such receipts are never filed in his office. Some supervisors state that they do not give the collector a receipt for his return for the reason that they are not able to verify at once the correctness of the return. It is not an uncommon experience to have a man whose taxes are returned as unpaid produce the collector's own receipt for the payment of his taxes, in which case the collector is called upon to remit the amount to the supervisor.

Supplying the Deficit

Borrowing not always necessary.

The supervisor of a town frequently receives, during the year, enough money from the redemption of property sold for taxes, and from other sources, to cover the tax deficiencies of the year. Where this is true, it is unnecessary to borrow the amount of the unpaid taxes. In most cases, however, this is not the rule. The county treasurer is sometimes compelled to resort to a loan, as authorized, to cover a town's delinquency.

Preparing for the Tax Sale

The town board's review is omitted, or perfunctory.

The prescribed review of the collector's return is either not made at all, or is assigned to a single member of the board, whose report usually amounts to a mere expression of confidence

* Chapter 193, laws of 1877, sec. 1.

in the good faith of the collector. This lack of correcting any erroneous or imperfect assessment might well be sufficient to invalidate the tax thereon.

The law sets a time for the collector's return, and the inference would be that the review and the addition of the second penalty should take place immediately thereafter, although the law is not specific on this point. The date of the action of the town board is usually recorded by the town clerk. In two offices, the clerk's records are so complete as to state not only the date of the return, the action of the board in adding the penalty, but also the amount of such return. One clerk's record * book shows other details also, such as the list of taxes rejected by the town board, the various amounts thereof, and the different purposes for which such taxes had been levied.

Re-assessment easier than sale.

Some of the smaller northern towns containing New York City reservoir property "re-assess" their unpaid taxes instead of collecting them by sale, which operates to make those who have already paid their own tax pay part of their delinquent neighbor's also. It is less trouble than to sell the property, although there are no fees in the process for town officers.

Which is the legal penalty, 12 per cent.

or 12.35 per cent. or merely 5 per cent.?

In some towns the 5 per cent. and 7 per cent. penalties are added, making a flat rate of 12 per cent. In others the two rates are compounded, making a total penalty of 12.35 per cent. In still others, the supervisor, feeling that the object of the law is rather the collection of the tax than the technical increase of penalties, which might further delay collections, permits delinquents to redeem at 5 per cent up to the time of advertising. Other supervisors express strongly their convictions that such a proceeding is entirely irregular and conducive to further delinquency.

The Tax Sale

Advertising. What is the legal rate?**

Perhaps the most widely varying feature of the administration of the tax sale law is the advertising. The following rates

* Cortlandt.

** The supervisor—shall cause to be posted and published as hereinafter mentioned, a list of all lots, pieces, and parcels of

are found in actual practice in different towns, each claimed by the supervisor or the publisher to be the "legal rate" for such advertising.

\$1.00 per inch.	\$0.50 per inch.
1.00 per folio.	.50 per folio.
1.00 per item or lot.	.50 per item or lot.
.75 per inch.	.12 1-2 per lot.
.75 per folio.	.50 per lot for tax sales.
.75 per item or lot.	1.00 per lot for redemption advertising.

In addition to the above "legal rates," the following practices are found:

1. Determination of the rate by the town board or the supervisor.

2. Appropriation of an aggregate sum for several newspapers to divide among themselves; e. g., Greenburgh, \$3,000.

Several attorneys have expressed their belief that there is no legal rate for such advertising, but that it is open to competitive bidding.

The Sale. Bidders conspicuously absent.

As a stimulant to interest in or attendance upon a public sale in Westchester County, such advertising appears to be a waste. Very few prospective buyers appear at the sales, which have become merely perfunctory. The supervisor, as the list is read, bids in the properties for the town, usually for 1,000 year periods. This process being over, he draws the certificates of sale, and the town then holds the properties for redemption. The taxes, penalties and costs of the sale are all charged against the town, and the following year are re-levied as a part

land and premises, upon which the taxes shall have been returned unpaid, and shall not be rejected by the town board.—A copy, of such notice shall be posted in six public places in such town, at least three weeks before the day fixed for the sale, and if there be one or more newspapers published in the town, such list and notice shall be published once in each week for three weeks consecutively, next preceeding the day fixed for such sale, in such newspaper published in said town as shall be designated by the town board—.

(Chapter 193 laws of 1877), section 4 of the Westchester Tax Sale Law, see Proceedings of the Board of Supervisors, 1906.

of the town budget. Unless sufficient sales are redeemed during the year to cover these sums, the men who have already paid their taxes must pay their share of their delinquent neighbors' taxes also.

Fees on Certificates of Sale

Supervisor's Fees

In twelve towns, the supervisors say, "The law does not allow us any fee for drawing tax sale certificates."

In two towns, the supervisors charge 25 cents for each original certificate of sale.

In four towns the supervisors charge 25 cents each for original and duplicate certificate, or 50 cents per tax sale.

In one town the supervisor charges 25 cents for each original, each duplicate and each triplicate certificate of sale, or 75 cents per tax sale. He has 5,000 or more sales per year.

Town Clerk's Fees

Twelve town clerks charge 25 cents for recording each tax sale.

Four town clerks charge 50 cents for the same service.

Three town clerks charge 75 cents for the same service.

Tabular statement of such fees

The following tables display the details of fees charged by township officers as above for the issue and recording of tax sale certificates:

Supervisors' Fees (Tax levies, 1904-1908)

Town	No. of tax sales in 5 yrs.	Fee charged per sale.	Amt. of charges, 5 yrs.
Bedford	3,727	00	
Cortlandt	199	00	
Eastchester ..	3,520	00	
Greenburgh	17,911	75	\$13,433.25
Harrison	7,108	00	
Lewisboro		00	
Mamaroneck	3,287	50	1,643.50
Mount Pleasant ...	23,078	50	11,508.50
New Castle	36	25	9.00
North Castle	5,035	00	
North Salem	1	00	
Ossining	96	00	

Pelham	2,513	00	
Poundridge	2	00	
Rye	1,790	50	895.00
Scarsdale	585	00	
Somers	13	50	6.50
White Plains	4,856	00	
Yorktown	12	25	3.50

Total questionable fees in five years \$27,498.75

In other words there was paid to the supervisors in five years:

For 17,911 sales	\$0.75 each
For 28,168 sales .....	.50 each
For 48 sales .....	.25 each
For 27,642 sales .....	.00 each

For the above charges the Bureau has found no statutory authorization. The provision of law that no charges shall be made unless specifically authorized will be found below.*

The amount of clerical work involved in preparing 5,000 certificates of sale and 10,000 copies, if required, is undoubtedly large. But the wide variation in practice which is claimed to be legal in such matters speaks ill for the law.

Town Clerks' Fees (Tax levies 1904-1908)

Some clerks interpret the phrase "for each certificate and the recording thereof" to mean each certificate, duplicate and triplicate, issued by the supervisor.

Town	No. of sales	Fee charged per sale	Amt. charged	Apparent-ly legal amt.	Apparent overcharge
Bedford	3,727	\$0.25	\$931.75	\$931.75	
Cortlandt	199	.25	49.75	49.75	

* Pub. Off. Law, Section 67; "1. Each public officer upon whom a duty is expressly imposed by law, must execute the same without fee or reward except where a fee or other compensation therefor is expressly allowed by law.

"2. An officer or other person to whom a fee or other compensation is allowed by law for any service, shall not charge a greater fee or reward for that service, than is so allowed."

Eastchester ...	3,520	.50	1,755.00	812.50	\$942.50
Greenburgh ..	17,911	.25	4,477.75	4,477.75	
Harrison	7,108	.25	1,826.50	1,826.50	
Lewisboro	0				
Mamaroneck .	3,287	.50	1,643.50	821.75	821.75
Mt. Pleasant .	23,078	.25	6,214.75	6,241.75	
New Castle ...	36	.75	27.00	9.00	18.00
North Castle .	5,035	.25	1,258.75	1,258.75	
North Salem ..	1	.25	.25	.25	
Ossining	96	.25	24.00	24.00	
Pelham	2,513	.75*	1,884.75	628.25	1,256.50
Rye	1,790	.50	895.00	447.50	447.50
Scarsdale ..	585	.25	112.50	146.50**	
Somers	13	.50	6.50	3.25	3.25
White Plains .	4,856	.75	3,475.75	1,214.00	2,216.75
Yorktown	12	.25	3.00	3.00	
Total questionable fees in five years					5,751.75

Recapitulation

Supervisors	27,498.75
Town clerks	5,751.75
Total	\$33,250.50

Whether the act authorizes any of these \$33,250.50 fees is doubtful. The diversity of views among officials is obvious.

There can be no question that a large amount of work, much of it **unnecessary under a proper system**, is by law required of these officials. But an act that permits such diversity of opinion among officials is obviously in need of radical change. It seems equally clear that the change should not be in the direction of increasing the cost of collection in Westchester County.

Incomplete County Records

From one or two towns, duplicate certificates of sale are not filed with the county treasurer. The law declares invalid all

* Pelham, since 1908, has allowed its town clerk but 50 cents instead of 75 cents.

** Scarsdale's town clerk is entitled to \$34.00 more than his bills to the town have called for.

sales of which the certificates are not so filed within thirty days after the sale. *

An even more serious fault of the present system of records is the practical difficulty of ascertaining whether any specific piece of land is subject to arrears of taxes. The records should be so kept that, on requisition from a single central officer, an immediate certificate could be had entirely trustworthy and complete, (a) as to any specified tract of land, (b) as to the personal assessment on any specified individual. Under any proper system, the ascertainment of such information for any single tract or person for twenty-five years should not take a single clerk as many minutes.

Redemptions

Advertising

The redemption advertising is conducted in the same manner as that for the tax sale, and is paid for at the same rates except that in certain instances the redemption rate is double that of the sale, though published by the same paper, and in the same type and style. Some newspapers claim \$1.00 per item advertised because the law permits the supervisor to charge \$1.00 for each parcel redeemed after advertising, to pay the cost of "advertising and posting."

Eleventh hour redemptions

These are very few. Some property owners will make an effort at the eleventh hour, to prevent the possession of their property from passing into another's hands. If the town is purchaser, the property owner has no fear, because the supervisor will re-convey it to him at any time on receipt of taxes and costs. If a private individual is purchaser, the owner may have to pay a speculator's profit to reclaim his land after it is leased, unless he feels disposed to contest the validity of the tax lien.

The Failure of the Tax Lease

Lease, re-lease, re-re-lease, etc. How many thousand years?

Very few leases are made to any one but the town. Each of the town's purchases is usually leased for one thousand years. The same properties being unredeemed by their owners are leased to the same town, year after year, for delinquent taxes:

* Chapter 506, laws of 1880.

each time for a thousand years. The following table shows two years of tax sales for a single parcel of land, and the subsequent leases, in a Westchester town. Note how the cost of unpaid taxes grows by such processes.

For the Tax of 1904

Adv. for sale	Sept., 1905.	Cost of Adv. . . *	\$0.50
Sold to the town	Oct., 1905.	Officers' fees . .	.25 to \$1.00
Adv. for redemp'n	Sept., 1906.	Cost of Adv. . .	.75
Leases to the town	Oct., 1906.	Officers' fees . .	1.50

Total Costs \$3.00 to \$3.75

The Same Parcel for the Tax of 1905

Adv. for sale	Sept., 1906.	Cost of Adv. . .	\$0.50
Sold to the town	Oct., 1906.	Officers' fees . .	.25 to \$1.00
Adv. for redemp'n	Sept., 1907.	Cost of Adv. . .	.75
Leased to the town	Oct., 1907.	Officers' fees . .	1.50

Total Costs \$3.00 to \$3.75

The same parcel goes through the same processes for each subsequent year's tax, with the same annual costs.

The above table shows costs that are constant, and does not include the tax. These fees would remain the same whether the tax of the parcel were 5 cents or \$5,000.00. The advertising rate and the certificate-of-sale fees for officers may vary in different towns, but this table takes a representative parcel through tax-sales in a typical town with costs actually charged.

To the above costs must be added the tax and the penalties of 5 per cent. and 7 per cent. and the interest of 12 per cent. per annum added after each tax sale. These must be calculated upon the tax, and will vary with the amount of such tax.

The table also shows how a town **Re-leases to Itself Properties whose "Title" it Already Holds** (if the tax sales have been legal), **but on which it has Itself Become a Delinquent Taxpayer.** Why does it do this? Is the answer found in the tax law (section 13. Westchester County Tax Sale Law) which says:

"—and when said town shall hold any lands under and by virtue of the provisions of this act, the said town board shall fix and determine the amount necessary to be raised for the payment of taxes levied or to be levied upon the lands so held during such year, and the several amounts thus fixed and determined shall be

certified to the board of supervisors, and be levied and collected in said town in the same manner as other town charges, and paid to the supervisor, who shall apply the same to the payment of the several amounts and purposes for which such money was raised——."

If the town held such parcel and paid the taxes on it after the first lease, all subsequent advertising and officers' fees would disappear from the above table of charges. In the place of waiting the pleasure of the owner in redeeming or abandoning his lands, and paying taxes thereon meanwhile, the town might, if it had faith in the validity of its lease, rent, or use the property for its own benefit, and receive subsequent taxes therefrom.

In the case of remote lots, there might not appear at once a profitable way of using such properties, but in the course of one thousand years—the term of the lease—there is no doubt that the taxes could be fully recovered with ample interest. The law says that the titles to parcels so leased are "vested in the town" as in any other purchaser. If this be so, why not obey the law and assess the property to the town and use it for town purposes?

As it stands, all of these costs are of no benefit. They are simply an added burden, year by year, borne by those who do pay their taxes.

The confiscation side of the case

There are hundreds—perhaps thousands—of parcels of land, laid out as village lots or as sub-divisions for real estate operations in Westchester County, with market valuations ranging upwards from \$5.00 each. The taxes on these amount to a few cents each. The total cost of redemption of one of these lots, from a town lease would be \$3.75 plus the tax. If, for any reason, the lot lies unredeemed for five years, the costs as per the above table, would be from \$15.00 to \$18.75. In such a case, the owner would never redeem, except at a compromise. His lots have been confiscated in less than five years. Many such cases have run several times that period, with sale and lease—not forgetting fees—repeated annually. These costs are paid meanwhile by the town, by levy in the annual town budget upon the citizens who pay their taxes.

The delinquent is supposed to pay these charges when he

redeems his property. That is the defense given for this system. In a case like the above, however, he does not redeem. Nor will anyone purchase the lease with all its accumulated charges. The result is that the owner abandons his property. The town has confiscated it. The town board under such circumstances will usually compromise for not more than the assessed valuation of the lots. In the case of a lot like that cited in the foregoing tables the town has paid and is carrying as an asset the taxes plus \$18.75
 It settles with owner or purchaser for a compromise, say 5.00

The shrinkage of the town's asset amounts to \$13.75
 plus the entire taxes on the lot in question.

If there are one hundred such lots the shrinkage in costs alone is \$1,375. In some towns there are several hundred such lots. It is doubtful if any town in the county can tell the amount of its assets in unpaid taxes without long and pains-taking search.

Meanwhile, the real taxpayers have these added sums to pay, year by year, without increasing the town's assets. It is not merely that the tax is lost; the costs are taken out of the town treasury and have to be made good by the taxpayers.

The farcical side of the case

As a matter of fact it is generally conceded that few tax liens in the county will pass a court review. An owner of land may let his lots lie and pay no taxes, secure in the knowledge that the assessments thereon are illegally made, and that a tax levied upon such assessments cannot be collected. It is fortunate that not many have sufficient confidence in the reality of such conditions to take advantage of them.

In such localities as Elmsford, in the Town of Greenburgh, or Sherman Park, in the Town of Mount Pleasant, thousands of lots practically abandoned by their owners, many of whom it is impossible to trace, are assessed annually at a nominal value on the tax rolls, and are annually sold and leased to the town. The fees and costs of these sales and leases are paid out of the town levies. Although the law states, as quoted, that the town having leased such properties should provide for the payment of taxes thereon, and hold and use such properties for

town purposes, many lawyers profess inability to interpret this provision of the law and express grave doubt as to whether it can be enforced, and what effect such enforcement might have upon the title of the property. They also express doubt as to the meaning of the provision that a tax lease to a township vests the title of the leased property in the township.

This part of the law seems to be farcical and meaningless. From the above it seems to follow that not the strength of the tax law and the administrative machinery, but either the innate loyalty of citizens, or their inertia and ignorance, or their dislike of litigation, is what makes them pay their taxes.

CHAPTER IV.

THE COST OF COLLECTING WESTCHESTER TAXES

Such is the law; such its administration. What does it cost? How much does the prompt taxpayer pay in addition to his taxes? How much does it cost the delinquent to be a delinquent? What is the total burden of cost added to the taxes by the processes of collection? In the case of an individual delinquent, the latter question has been answered. The appended tables give detailed answers for townships and summaries for the county for five years.*

In the investigation necessary to secure this information, the steps outlined below were followed out in detail.

1. A thorough analysis of the Westchester County tax sale law.

2. An investigation of the actual method of administering the law in each township.

3. The collection, analysis, and tabulation of relevant statistics, from the following sources:

- (1) Personal examination of the records on file in the office of the supervisor or the town clerk or both, in each of the nineteen townships.

- (2) Conferences with one or both of these officers for each town.

* The years selected are the last for which complete returns are available.

(3) Where records were missing, or in such a state as to be untrustworthy, the missing information has been supplied in the manner outlined in the preface of this report.

The tables in the appendices are meant to be self-explanatory, but certain items may need slight clarification. The total levy and the sum collected by the collector are included for comparative purposes only. The total levy has been taken from either the actual footing of the tax rolls or from the collectors' warrants, where these were accessible. School taxes have been excluded, both from the levy and from the collectors' returns. Therefore, the total levy and the returns will not always coincide with the amounts published in the supervisors' reports. To the unpaid return is added the full statutory penalty, although, as already explained, the second penalty is not always insisted upon when property is redeemed before advertising. One or two smaller items of cost, so difficult to calculate from a mass of scattered data as to consume an unwarranted amount of time, and so small as to affect the totals by no appreciable values, have been omitted. Such are the interest on parcels sold at auction, from date of sale to that of redemption or lease; the per diem charges of town officers in attending tax sales; and one or two other items entirely negligible. The result is therefore a conservative statement of the cost.

There seems to be no way of getting at the exact amount received by unsalaried collectors for their collections, because so few of them keep an exact account of their personal receipts. Therefore this item has been estimated in practically the whole county. The study of one or two tax rolls, where the date of payment of each tax is shown, and conference with various collectors, supervisors and clerks, have shown that the collector seldom receives more than 2-3 of his collections in the first thirty days. Therefore his receipts have been conservatively estimated, in most instances, upon this basis:

2-3 the amount, at commission of 1 per cent.

1-3 the amount, at commission of 5 per cent.

or 2 1-3 per cent. commission on his total collections.

As a matter of fact his receipts are usually much in excess

of these estimates, because he naturally prefers to make as much of his collection as possible at the higher rate.

The items of cost

The use of the term "cost" here made needs explanation. It means the amount of money that must be paid by the taxpayer in addition to the face of his tax, either as a fee for the collection or as a penalty for delinquency, a small part of which (10 per cent. of the delinquent tax) should be turned into the town treasury for town uses. The time and trouble of the taxpayer in ascertaining what to pay and when and where to pay it is additional. Nor does this statement include the cost of collecting school, city or village taxes. The chief elements in the cost of collecting delinquent taxes are, advertising the sales and redemptions, and fees and necessary expenses of town officers. Such elements are itemized in the following schedules in Appendix I.

The cost summarized

The collection of the general taxes of the nineteen townships adds to the face of the tax a burden of from 8 per cent. to 10 per cent. The collection of arrears of these taxes adds to the face of such arrears a burden of 51 per cent. The accompanying charts graphically illustrate what this addition to the tax itself means to the taxpayer, both for the county as a whole and for each township.

The following table states by townships the percentage added to the face of the tax by the process of collection, the first column of percentages giving the cost of collecting the entire levy; the second column of percentages, the cost of delinquency to the delinquent.

Town	Cost of collecting entire levy	Cost of delinquency	
Bedford	6.35%	135.7%*	62.9%
Cortlandt	3.9	15.7	
Eastchester	6.25	29.6	
Greenburgh	10.12	66.6	
Harrison	11.6	85.5	

* The cost of Bedford's delinquent tax for 1905 was so large as to increase the five year average cost to 135.7 per cent. Without that year, the average is 62.9 per cent.

Lewisboro	2.45	12.0
Mt. Pleasant	21.0	105.2
Mamaroneck	10.25	58.5
New Castle	4.0	22.5
North Castle	16.3	46.5
North Salem	3.8	12.1
Ossining	2.92	15.9
Pelham	8.66	31.3
Poundridge	2.92	12.5
Rye	4.56	83.3
Scarsdale	3.85	27.4
Somers	3.16	15.2
White Plains	9.2	39.2
Yorktown	3.8	12.3

The town, county and state taxes of 1908 for the nineteen townships only, amounted to \$950,759.08. To collect that amount cost over \$75,000.00 when all the detailed charges, which are stated conservatively in the tables of cost, are added; \$75,000.00 would pay for the collection of the taxes of the entire county including the three cities, the twenty-four villages and the innumerable school levies, which could be very much simplified; including also postage on tax bills mailed to every taxpayer, office rent, and stationery; including also the salaries of a central receiver of taxes and twenty-two deputies, which would provide for one deputy for each township and one for each city.

The cost of school tax collections for 1908 was approximately \$17,500. The cost of village tax collections it is impossible to compute because of their incompleteness. But the amount is large enough to make the total direct cash cost of tax collection for the county outside the three cities amount to considerably more than \$100,000.00. (See charts. pp. 42-44.)

CHAPTER V.

CONCLUSIONS AND RECOMMENDATIONS

THE FOLLOWING CONCLUSIONS SEEM TO BE WARRANTED:

1. That the general assessment laws are too difficult for inexperienced assessors to apply, in valid form, to local conditions.

2. That the levy of several different taxes at different times of the year, some of them upon separate assessments, causes unnecessary annoyance to the taxpayer, and adds unnecessary complexity to the collection and management of public funds.

3. That there are a great many more collectors of taxes in the county than are necessary.

4. That the methods of collection practiced under the present laws are inefficient and unbusinesslike.

5. That the cost of collection of taxes under such methods is extravagant and wasteful; that the expense to the taxpayer of ascertaining when and where to pay his taxes is a totally unnecessary burden; that the aggregate extravagance of all such costs, being met by individual taxpayers instead of by the county or municipality, is not readily ascertainable and is not remediable by action of the county or municipal authorities.

6. That the tax sale law of Westchester County is unsatisfactory; and that those communities that manage their taxes with the greatest efficiency do so either under special acts of the legislature or under very free interpretations of the law, if not actual departure therefrom.

7. That in so far as the creation of valid tax liens is concerned, the administration of the present Westchester County law has proven a failure.

8. That the result of such failure is the continued payment, out of town funds, of taxes and heavy costs upon large numbers of realty parcels, without ability finally to dispose of such property for the recovery of delinquent taxes.

TO REMEDY SUCH CONDITIONS THE BUREAU PROPOSES:

1. That the Westchester County special tax laws be repealed.

2. That a simplified method of assessment be adopted. Such method ought to include the use of accurate assessment maps for the whole county and uniform assessment rolls, of a form prepared and approved under proper state and local authority; and the levy of

TAXES IN WESTCHESTER COUNTY .

realty taxes should be made upon the property and not upon the supposed owner.

3. That all ad valorem taxes (state, county, town, village, city, and school) upon the same property be levied upon the same assessed valuation, which valuation should be made by one set of assessors for each neighborhood and equalized by the proper authorities; that the establishment of tax rates (in mills) upon this assessed valuation, for local purposes, be entrusted to the local authorities for their several localities; that they certify the rate to a central levying officer, who merely computes all taxes from such certified rates and makes up the assessment rolls.

4. That all taxes of all kinds voted within the year be levied at the same time of the year, included in the single annual tax bill, and collected through a single office, and their payment or non-payment made a matter of permanent record in that office.

5. That the two hundred or more tax collectorships now existing in the county be abolished, and in their stead a county receiver of taxes be established, or the county treasurer be authorized and directed to act as such; which central receiver, with a sufficient number of deputies, shall collect all taxes and keep all records of their collection, conducting the entire business from a single central office.

6. That the present system of fees pertaining to the administration of tax collection be abolished and that the receiver of taxes and such deputies as may be necessary be paid salaries by the county for their services; that any administrative fees that may be necessary be paid into the county treasury for general government uses.

7. That the payment of taxes in two installments, some months apart, be optional iwth the taxpayer without penalty.

8. That a tax bill be mailed to every taxpayer, whose address is known, as soon as collection warrants are issued. That such bill shall contain in addition to the statement of taxes due, printed information as to

the total tax levy, distribution to be made thereof, the tax rate for each variety of tax included in the bill, the time, place and person to whom such tax may be paid, and clear instructions regarding penalties for delinquency and date of enforcement of the tax lien in case of delinquency.

9. That the prompt sending of such bill shall be a ministerial duty, failure to perform which shall not be a defence to the action for taxes.

10. That such taxes when collected be distributed by the county treasurer or receiver of taxes to the various county and local boards and bodies in accordance with the collections made for their several accounts; so that no local body has anything to do with the collection of taxes.

11. That a simple system of collection be worked out upon the following plan:

(1) Payment of taxes without fee or penalty during some fixed period after a fixed date established by law.

(2) At the expiration of such period the addition of a suitable penalty or an appropriate rate of interest on all unpaid taxes, such interest starting from date of the first tax bill.

(3) At the expiration of a reasonable time a proceeding *in rem* as to all delinquent taxes on realty, to establish the taxes by judgment.

(4) The satisfaction of this judgment by sale, by the county authority, of the parcels in fee, with a reasonable period for redemption, to the highest bidder for cash; the county to bid the amount of the judgment, interest, and costs, if no one else will bid so high.

(5) Payment to the former owner of any proceeds of the foreclosure sale over and above such judgment and costs.

(6) Provision for the conclusiveness of such tax titles, after the expiration of such

periods for redemption, with provisions for notice of expiration.

In explanation of these suggestions the following may be added:

Valuation of property for the purposes of assessment of taxes of all kinds should be made but once, and then by local assessors, but subject to equalization by the proper county and state authorities.

The determination of the rate of tax for the purposes of the respective county, town, village, and school district corporations should be made by the proper authorities of each district voting a tax of so many mills and fractions of mills and reporting their vote to the county officer charged with the duty of computing the taxes of all kinds and making out the tax rolls.

The actual computation of the individual tax on each person and each piece of real property for all the various funds should be done by this county officer, who should make up each community's roll, taking due account of the county equalization and the certificates of the various boards and corporate bodies having authority to levy taxes. On completion of the roll, he should, at a date fixed by law, deliver the roll to the county treasurer or receiver of taxes, which should constitute the authority of that officer to collect the tax.

In this way the entire business of collecting the taxes would be severed from the duties of the bodies authorized to impose the taxes and expend them. Those bodies would simply ascertain the amount of money they needed and compute the percentage this would require on the total amount of the grand list of property and persons taxable in their taxing district and report that percentage to the county computer of taxes, who would see that it was added for that purpose to the tax on each person and each piece of property whom that board had jurisdiction to tax.

This tax computer would be required as to each piece of property and each taxable person, to make out the tax assessed by each body authorized to assess taxes on such person or parcel, and all these together would be included in the single tax statement for each parcel and each person turned over to the county treasurer or receiver of taxes.

After the tax has become finally delinquent, which should be on a fixed date, the treasurer should return the tax roll, showing all payments and all failures to pay, to the computing officer who should then be charged with the duties of enforcing payment by judgment and sale.

The dates should be so arranged that during one part of the year this officer will be making up the new roll for the ensuing year, and during the other part taking proceedings for the enforcement of delinquent taxes by judgment and sale or execution. By this simple provision the need of a second salaried officer is avoided. Such an officer can receive a salary sufficient to make reasonable compensation for accurate and intelligent rendition of duty.



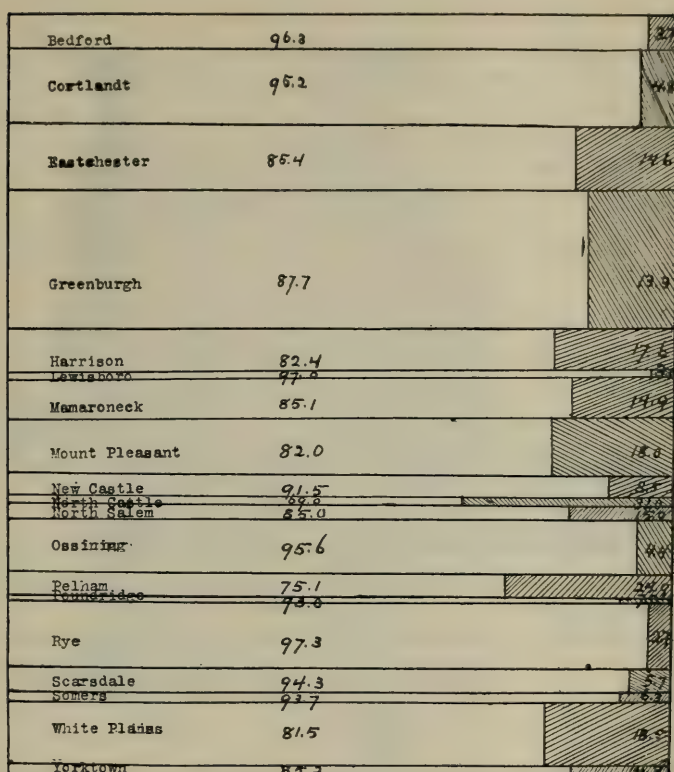


CHART SHOWING AVERAGE ANNUAL COLLECTIONS OF STATE, COUNTY, AND TOWN TAXES

Each rectangle, including both the white and shaded portion, marked with the name of a town represents the total annual tax of the township named. The relative sizes of the annual tax are shown by the vertical widths of the rectangles.

The longer unshaded portion of each rectangle represents the percentage of the total tax collected by the collector. The actual percentage is stated in figures.

The shaded portion at the right represents the percentage of the whole tax returned by the collector as unpaid, to be collected by sale by the supervisor. The actual percentages are given in such shaded portions.

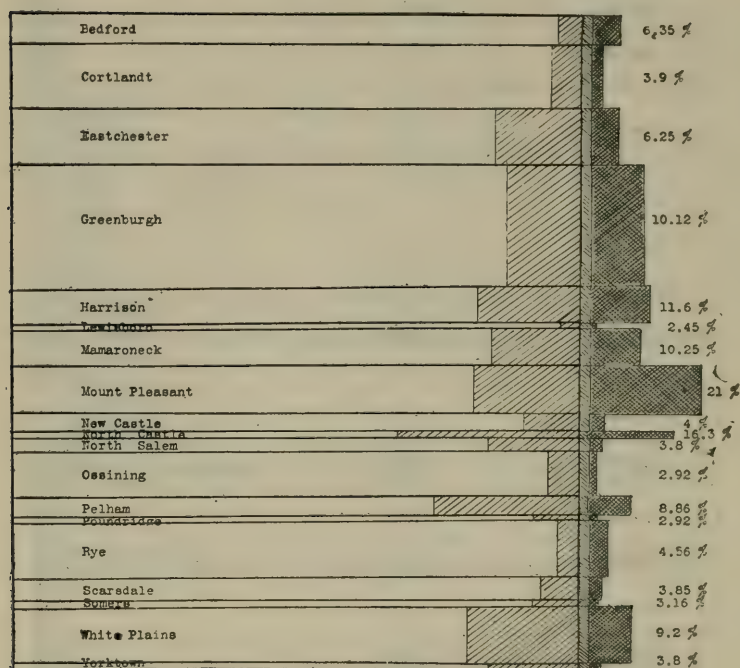


CHART SHOWING THE TOTAL COST OF COLLECTION OF TAXES IN THE NINETEEN TOWNSHIPS

The vertical width of the rectangles represents

the relative size of the total tax for each township.

The unshaded sections at the left represent

the portion collected by the tax collector.

The lightest shaded sections represent

the arrears of taxes to be collected by tax sale.

The narrow darker strip represents

the fees paid the collector before making his return.

The darkest sections at the right represent

the amount of cost of collecting the arrears by process of tax sales.

The figures at the right show by what per cent. of itself the total tax is increased by the cost of collection.

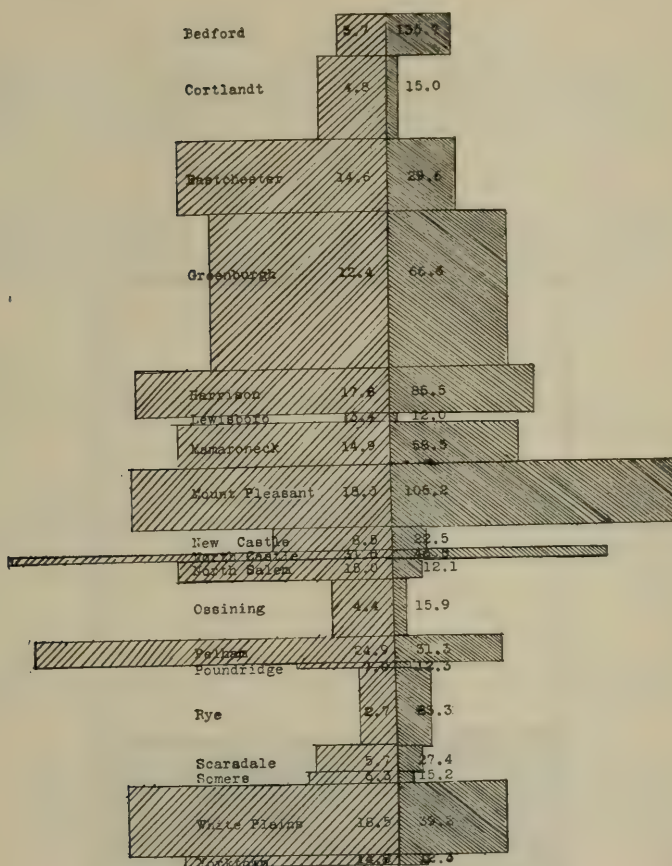


CHART SHOWING, BY TOWNSHIPS, THE COST OF DELINQUENCY IN PAYMENT OF TAXES

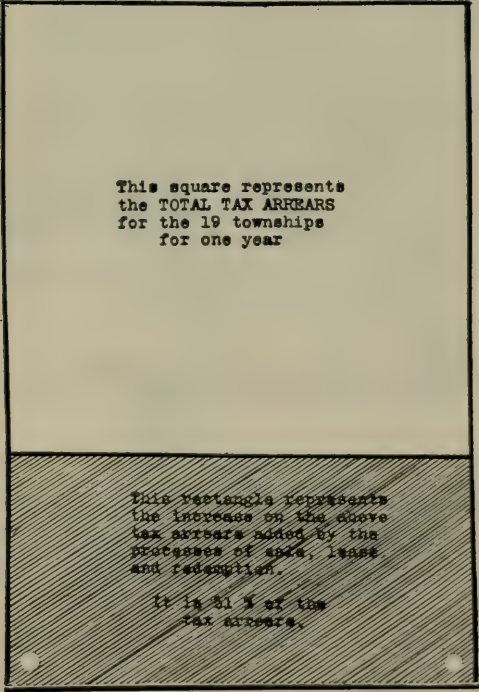
Each lighter rectangle represents

the delinquent portion of the tax levy returned by the collector to the supervisor. The figures given in these rectangles are percentages of the entire levy.

Each darker portion represents

the cost added by collection under the Westchester County special law.

The figures in these rectangles are percentages of delinquent tax.



This square represents
the TOTAL TAX ARREARS
for the 19 townships
for one year

This rectangle represents
the increase on the above
tax arrears added by the
processes of sale, lease
and redemption.

It is 31 % of the
tax arrears.

APPENDIX I.—ANNUAL TABLES OF COST OF TAX COLLECTION TAX OF 1904. TOTAL LEVY, COLLECTIONS, AND ARREARS

Name of Town	Total Tax Levy	Amt. Collected	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$18,909.17	\$18,866.50	99.76	\$42.67	0.24	\$2.13*	\$3.14
Cortlandt	58,594.41	51,965.41	88.7	6,629.00	11.3	331.45*	487.23
Eastchester	52,001.68	45,318.58	87.05	6,683.10	12.85	334.16*	491.21
Greenburgh	120,900.79	107,248.65	88.6	13,652.14	11.4	682.61*	1,003.43
Harrison	34,553.88	29,949.94	87.0	4,603.94	13.0	230.20*	338.39
Lewisboro	6,948.61	6,163.61	88.6	785.00	11.4	39.25	54.95
Mamaroneck	24,193.26	20,662.91	85.6	3,530.35	14.4	176.52	247.13
Mount Pleasant	53,085.91	41,898.41	79.0	11,187.50	21.00	559.37	783.12
New Castle	14,957.82	13,757.82	92.0	1,200.00	8.00	60.00	84.00
North Castle	11,127.77	6,352.95	57.0	4,774.82	43.0	238.74	334.24
North Salem	14,881.62	7,288.62	48.9	7,593.00	51.1	379.65	531.51
Ossining	63,952.58	61,717.18	96.8	2,235.40	3.2	111.77	156.48
Pelham	21,582.15	16,909.17	78.5	4,672.98	21.5	233.65	327.11
Poundridge	2,339.48	2,195.95	93.9	143.53	6.1	7.18	10.04
Rye	71,422.68	70,731.77	99.0	690.91	.9	34.54	48.36
Scarsdale	18,993.84	18,556.35	97.7	437.49	2.3	21.87	30.62
Somers	10,988.04	10,273.82	93.1	714.22	6.9	35.71*	52.50
White Plains	60,042.53	51,215.86	85.3	8,826.67	14.7	441.33*	281.16
Yorktown	11,898.68	7,882.03	66.3	4,016.65	33.7	200.83	281.16
	\$671,374.90	\$588,955.53		\$82,419.37			

* Second penalty compounded.

TAXES OF 1904. TAX SALES

Town Name of	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Rate per Sale	Rate per Sale	Clerk's Fees
Bedford	56	\$58.50	\$6.00			\$14.00	\$0.25
Cortlandt	33	61.00				8.25	.25
Eastchester	742	418.00	20.00			371.00	.50
Greenburgh	3,186	1,262.75	20.00	2,389.50	\$0.75	796.50	.25
Harrison	1,270	762.00				317.50	.25
Lewisboro	0						
Mamaroneck	422	405.75	16.00	211.00	.50	211.00	.50
Mt. Pleasant	3,686	673.75		1,831.50	.50	916.00	.25
New Castle	0	141.75					
North Castle	844	25.00				211.00	.25
North Salem	1	3.00	10.00			.25	.25
Ossining	0						
Pelham	291	150.00				218.25	.75
Poundridge	0						
Rye	196	268.50			.50	98.00	.50
Scarsdale	71	80.25		98.00		17.75	.25
Somers	0					753.75*	
White Plains	672	611.75	112.63				.25
Yorktown	3	2.50		0.75	.25	.75	.25
	11,473	\$4,924.50		\$4,530.75		3,934.00	

* Includes binding and other charges not clearly itemized.

TAXES IN WESTCHESTER COUNTY

47

TAXES OF 1904. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate per Lease	Clerk's Fees	Rate per Lease	Acknowledgment of Leases	Rate per Lease
Bedford	40	\$22.50	\$40.00	*	\$20.00	\$0.50	\$10.00	\$0.25
Cortlandt	13	17.57						
Eastchester	442	313.00	271.00	*	211.00	0.50	110.50	.25
Greenburgh	2,063	914.75	1,107.50	*	1,057.50	.50	529.75	.25
Harrison	852	550.00	476.00	*	426.00	.50	213.00	.25
Lewisboro								
Mamaroneck	274	348.75	187.00	*	274.00	1.00	68.50	.25
Mt. Pleasant	2,728	479.50	1,414.00	*	1,481.00		682.00	.25
New Castle		27.00						
North Castle	500	25.00	300.00	*	250.00	.50		
North Salem								
Ossining								
Pelham	248	25.13	174.00	*	124.00	.50	62.00	.25
Poundridge								
Rye	112	189.00	53.50	**	56.50	.50	28.00	.25
Scarsdale	34	29.50	4.00	***	17.00	.50		
Somers								
White Plains	554	631.50	327.00	*	277.00	.50	148.50	.25
Yorktown	3	2.00	3.00	*	1.50	.50	.75	
	7,863	\$3,525.38	\$4,357.00		\$4,205.50		\$1,813.00	

* 1st 100, \$1.00 each, rest 50 cents each. ** Entitled to \$106. *** Charge for time only, entitled to \$34.

TAXES OF 1904. TOTAL COSTS OF COLLECTION

Name of Town	Total Cost Airears	Per Cent. of Airears	Per Cent. of Levy	Collector's Fees	Total Cost	Per Cent. of Total Levy
Bedford	\$176.27	0.99	0.97	\$440.22	\$616.49	3.25
Cortlandt	905.50	3.65	1.54	1,212.53	2,118.03	3.66
Eastchester	2,549.87	38.9	5.01	1,057.43	3,607.30	6.95
Greenburgh	9,764.29	71.5	8.06	2,502.47	12,266.76	10.12
Harrison	3,263.09	71.2	9.46	698.84	3,961.93	12.6
Lewisboro	94.20	12.0	.135	143.82	238.02	3.42
Maramoneck	2,145.65	60.2	8.92	482.13	2,627.78	10.86
Mount Pelasant	8,820.24	78.6	16.8	977.63	9,797.87	18.44
New Castle	312.75	26.1	2.45	321.25	634.00	4.23
North Castle	1,383.98	29.6	12.5	165.18	1,549.16	13.93
North Salem	924.41	12.23	6.2	170.07	1,094.48	7.36
Ossining	268.25	.436	.422	1,440.07	1,708.32	2.69
Pelham	1,314.14	28.12	6.24	394.55	1,708.69	8.05
Poundridge	17.22	12.00	.74	51.24	68.46	2.92
Rye	874.40	126.3	1.25	1,650.41	2,524.81	3.54
Scarsdale	200.99	42.9	1.5	432.98	633.97	3.32
Somers	88.21	12.4	.805	239.71	327.92	2.98
White Plains	3,952.22	48.2	.66	1,195.04	5,147.26	8.57
Yorktown	493.24	12.3	4.14	183.91	677.15	5.69
	\$37,548.92			\$13,759.48	\$51,308.40	

TAXES OF 1905. TOTAL LEVY, COLLECTION, AND ARREARS

Name of Town	Total Tax Levy	Amt. Collected by Collector	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$27,552.74	\$26,411.07	95.9	\$1,141.67	4.1	\$57.08*	\$83.91
Cortlandt	52,263.92	50,640.37	96.8	1,623.55	3.2	81.18*	119.33
Eastchester	72,525.95	65,945.11	90.8	6,580.84	9.2	329.04*	483.69
Greenburgh	149,830.95	132,914.00	88.6	16,916.95	11.4	845.85*	1,243.39
Harrison	36,593.56	31,726.62	87.0	4,866.94	13.0	243.35	357.72
Lewisboro	7,591.92	7,370.15	97.1	221.77	2.9	11.09	15.52
Mamaroneck	40,157.65	33,970.17	84.5	6,187.48	15.5	309.37	433.12
Mount Pleasant	59,106.03	51,204.03	86.5	7,902.00	13.5	395.10	553.14
New Castle	20,783.01	19,983.01	96.3	800.00	3.7	40.00	56.00
North Castle	12,002.62	7,284.34	60.7	4,718.28	39.3	235.91	330.20
North Salem	34,280.89	31,290.39	91.3	2,990.50	8.7	149.53	209.34
Ossining	73,284.68	71,295.65	97.3	1,989.03	2.7	99.45	139.23
Pelham	23,101.55	19,635.66	84.9	3,465.89	15.1	173.29	242.61
Poundridge	2,733.88	2,470.75	90.4	263.13	9.6	13.16	18.42
Rye	70,676.43	69,222.51	98.0	1,453.92	2.0	72.70	101.77
Scarsdale	18,168.46	17,571.27	96.7	597.19	3.3	29.86	41.80
Somers	11,812.19	11,044.40	93.4	767.79	6.6	38.39	56.43
White Plains	48,896.67	41,083.35	84.1	7,813.32	15.9	390.67*	574.28
Yorktown	11,636.36	9,644.78	83.0	1,991.58	17.0	99.58	139.41
	\$772,999.46	\$700,707.63		\$72,291.83			

* Second penalty compounded.

TAXES OF 1905. TAX SALES

Name of Town	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Rate Per Sale	Clerk's Fees	Rate Per Sale
Bedford	2,375	\$528.00	\$6.00	00.00	\$0.00	\$593.75	\$0.25
Cortlandt	39	72.00	0.00	00.00	.00	9.75	.25
Eastchester	563	374.00	20.00	00.00	.00	281.50	.50
Greenburgh	2,885	1,278.00	20.00	\$2,163.75	.75	721.25	.25
Harrison	1,495	900.00	0.00	00.00	.00	373.75	.25
Lewisboro	0	0.00	0.00	00.00	.00	00.00	.00
Mamaroneck	515	500.00	16.00	257.50	.50	257.50	.50
Mount Pleasant	3,688	673.75	0.00	1,836.50	.50	1,138.00	.75
New Castle	10	75.37	0.00	2.50	.25	7.50	.25
North Castle	1,202	25.00	0.00	00.00	.00	300.50	.25
North Salem	0	0.00	0.00	00.00	.00	00.00	.25
Ossining	20	198.00	0.00	00.00	.00	5.00	.25
Pelham	380	46.67	0.00	00.00	.00	285.00	.25
Poundridge	0	0.00	0.00	00.00	.00	00.00	.50
Rye	212	265.50	0.00	106.00	.50	106.00	.25
Scarsdale	108	121.00	0.00	00.00	.00	27.00	.50
Somers	2	0.00	4.00	1.00	.50	1.00	.75
White Plains	1,052	631.50	457.00*		.00	818.25	.00
Yorktown	0	0.00	0.00	00.00		00.00	
	14,546	\$5,688.79		\$4,367.25		\$4,862.75	

* Includes binding tax certificates

TAXES OF 1905. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate Per Lease	Clerk's Fees	Rate Per Lease	Acknowledgments	Rate Per Lease
Bedford	2,102	\$735.25	\$1,101.00	*	\$1,051.00	\$0.50	\$525.50	\$0.25
Cortlandt	1	33.75	1.00	*	.50	.50	0.00	
Eastchester	353	210.00	226.50	*	176.50	.50	88.50	.25
Greenburgh	2,268	836.50	1,184.00	*	1,134.00	.50	565.75	.25
Harrison	449	837.00	274.50	*	224.50	.50	112.25	.25
Lewisboro	0	0.00	0.00		0.00	.00	0.00	.00
Mamaroneck	433	359.50	266.50	*	433.00	1.00	108.25	.25
Mt. Pleasant	2,930	551.25	1,515.00	*	1,640.50	.50	732.50	.25
New Castle	9	39.37	9.00	*	4.50	.50	2.25	.25
North Castle ...	909	25.00	504.50	*	454.50	.50	0.00	.00
North Salem ...	0	0.00	0.00	*	0.00	.00	0.00	.00
Ossining	7	13.00	7.00	*	3.50	.50	0.00	.00
Pelham	235	25.00	167.50	*	117.50	.50	58.75	.25
Poundridge	0	0.00	0.00		0.00	.00	0.00	
Rye	138	210.00	32.25	**	69.00	.50	34.50	.25
Scarsdale	36	34.00	0.00		0.00		0.00	
Somers	0	0.00	0.00		0.00		0.00	
White Plains	822	454.50	483.00	*	422.00	.50		
Yorktown	0	0.00	0.00		0.00		0.00	
		\$10,692 \$4,364.12	\$5,771.75				\$5,731.00	

* 1st 100, \$1.00 each; the rest 50 cents each. ** Clerk hire only.

TAXES OF 1905. TOTAL COST OF COLLECTION

Name of Town	Total Cost Per Cent. of Arrears	Per Cent. of Total Levy	Collector's Fees	Total Cost	Per Cent. of Total Levy
Bedford	\$4,681.49	410.5	17.0	\$5,297.74	19.2
Cortlandt	317.51	19.5	.6	1,499.12	2.88
Eastchester	2,189.48	33.2	3.1	3,723.20	5.15
Greenburgh	9,992.49	59.0	6.7	13,093.78	8.73
Harrison	3,323.07	68.5	9.1	4,037.46	10.2
Lewisboro	26.61	12.0	.35	197.70	2.64
Mamaroneck	2,940.74	47.6	7.36	3,733.38	9.33
Mount Pleasant	9,035.74	114.0	15.3	10,230.50	17.3
New Castle	236.49	27.2	1.35	702.76	3.39
North Castle	1,875.69	39.8	15.6	2,065.08	16.7
North Salem	358.87	12.3	1.05	1,069.62	3.12
Ossining	465.18	23.4	.635	2,128.74	2.92
Pelham	1,116.32	33.6	4.85	1,574.48	6.83
Poundridge	31.58	12.0	1.15	89.23	3.26
Rye	997.72	68.5	1.41	2,612.90	3.7
Scarsdale	253.66	42.7	1.39	663.70	3.7
Somers	100.82	13.1	.84	362.52	3.06
White Plains	4,231.20	54.2	8.66	5,189.81	10.6
Yorktown	238.99	12.0	2.01	463.35	3.98
	\$42,413.65		\$16,321.42	\$58,735.07	

TAXES OF 1906. TOTAL LEVY, COLLECTION, AND ARREARS

Name of Town	Total Tax Levy	Amt. Collected	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$31,632.21	\$30,585.29	96.6	\$1,046.92	3.4	\$52.35*	\$76.95
Cortlandt	77,515.63	75,081.47	97.0	2,434.16	3.0	121.71*	178.91
Eastchester	71,950.96	58,287.28	81.0	13,663.68	19.0	683.18*	1,004.28
Greenburgh	105,970.46	94,182.76	88.8	11,787.70	11.2	589.38*	866.40
Harrison	34,638.63	29,043.82	84.0	5,594.86	16.0	279.74*	411.22
Lewisboro	6,774.85	6,739.85	99.5	35.00	.5	1.75	2.45
Mamaroneck	27,153.62	23,830.43	88.0	3,323.19	12.0	166.16	232.62
Mount Pleasant	29,364.34	24,070.00	82.0	5,294.34	18.0	264.72	370.60
New Castle	19,203.31	18,303.31	95.3	E 900.00	4.7	45.00	63.00
North Castle	5,546.42	3,447.90	62.2	2,098.52	37.8	104.93	146.90
North Salem	7,472.63	7,162.63	95.8	310.00	4.2	15.50	21.70
Ossining	32,975.09	31,412.74	95.3	1,562.35	4.7	78.12	109.36
Pelham	16,008.84	11,827.23	73.7	4,181.61	26.3	209.08	292.71
Poundridge	2,909.51	2,732.55	93.5	176.96	6.5	8.85	12.39
Rye	43,951.47	41,658.03	94.8	2,293.44	5.2	114.67	160.51
Scarsdale	21,407.50	20,664.92	96.6	742.58	3.4	37.13	51.98
Somers	5,069.35	4,619.35	91.1	450.00	8.9	22.50*	33.08
White Plains	53,896.34	44,288.45	82.2	9,607.89	17.8	480.39*	706.18
Yorktown	7,665.15	6,295.77	82.1	1,369.38	7.9	68.47	95.86
	\$601,106.36	\$534,233.78		\$66,872.58			

* Second penalty compounded. E. Estimated.

METHOD AND COST OF COLLECTING

TAXES OF 1906. TAX SALES

Name of Town	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Rate Per Sale	Clerk's Fees	Rate Per Sale
Bedford	340	\$119.75	\$6.00	0.00	\$0.00	\$85.00	\$0.25
Cortlandt	37	67.50	0.00	0.00	.00	9.25	.25
Eastchester	644	599.00	15.00	0.00	.00	322.00	.50
Greenburgh	3,322	1,163.75	20.00	\$2,491.50	.75	830.50	.25
Harrison	1,206	638.00	0.00	0.00	.00	301.50	.25
Lewisboro	0	0.00	0.00	0.00	.00	0.00	
Mamaroneck	768	556.75	16.00	384.00	.50	384.00	.50
Mount Pleasant	4,970	813.75	0.00	2,485.00	.50	1,484.00	.25
New Castle	9	66.87	0.00	2.25	.25	6.75	.75
North Castle	1,818	25.00	0.00	0.00	.00	454.50	.25
North Salem	0	0.00	0.00	0.00	.00	0.00	
Ossining	23	40.00	0.00	0.00	.00	5.75	.25
Pelham	592	55.00	0.00	0.00	.00	444.00	.75
Poundridge	2	0.00	0.00	0.00	.00	.50	.25
Rye	345	307.50	0.00	172.50	.50	172.50	.50
Scarsdale	148	118.00	0.00	0.00	.00	0.00	
Somers	2	0.00	4.00	1.00	.50	1.00	.50
White Plains	921	733.00	144.60	0.00	.00	797.50	.75
Yorktown	3	2.50	0.00	.75	.25	.75	.25
	15,150	\$5,306.37		\$5,537.00		\$5,299.50	

TAXES OF 1906. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate Per Lease	Clerk's Fees	Rate Per Lease	Acknowledgments	Rate Per Lease
Bedford	236	\$102.25	\$168.00	*	\$118.00	\$0.50	\$59.00	\$0.25
Cortlandt	0	36.00	0.00		0.00		0.00	
Eastchester	424	261.50	262.00	*	212.00	.50	106.00	.25
Greenburgh	2,852	896.00	1,476.00	*	1,426.00	.50	709.75	.25
Harrison	903	982.00	501.50	*	451.50	.50	225.75	.25
Lewisboro	0	0.00	0.00		0.00		0.00	
Mamaroneck ...	567	655.50	333.50	*	567.00	1.00	141.75	.25
Mt. Pleasant ...	3,396	607.25	1,748.00	*	1,698.00	.50	849.00	.25
New Castle	8	38.25	8.00	*	4.00	.50	2.00	.25
North Castle ...	836	25.00	468.00	*	418.00	.50	0.00	.00
North Salem ...	0	0.00	0.00		0.00		0.00	
Ossining	9	15.00	9.00	*	4.50	.50	0.00	.00
Pelham	512	32.03	306.00	*	256.00	.50	128.00	.25
Poundridge	0	0.00	0.00		0.00		0.00	
Rye	250	352.00	174.00	*	125.00	.50	62.50	.25
Scarsdale	60	32.50	8.00	**	104.50	.50	0.00	
Somers	0	0.00	0.00		0.00		0.00	
White Plains ...	788	414.00	444.00	*	394.00	.50	96.00	.25
Yorktown	0	0.00	0.00		0.00		0.00	
	10,841	\$4,448.78	\$5,956.50		\$5,778.50		2,379.75	

* 1st 100, \$1.00 each; the rest 50 cents each. ** Charge for time only.

TAXES OF 1906. TOTAL COSTS OF COLLECTION

Name of Town	Total Cost Per Arrears	Per Cent. of Total Levy	Collector's Fees	Total Cost	Per Cent of Total Levy
Bedford	\$787.30	75.0	\$713.66	\$1,500.96	4.75
Cortlandt	413.37	69.0	1,985.23	2,398.60	3.1
Eastchester	3,464.96	25.0	1,359.83	4,824.79	6.7
Greenburgh	10,469.28	89.0	2,207.26	12,676.54	11.9
Harrison	3,791.21	68.0	667.69	4,458.90	12.8
Lewisboro	4.20	13.2	134.79	138.99	2.35
Mamaroneck	3,437.28	103.0	566.04	4,003.32	14.0
Mount Pleasant	10,320.32	194.9	561.63	10,881.95	37.2
New Castle	236.12	26.3	427.08	663.20	3.45
North Castle	1,642.33	78.5	89.65	1,731.98	31.3
North Salem	37.20	12.0	167.13	204.33	2.8
Ossining	261.73	.83	732.96	994.69	3.02
Pelham	1,722.82	42.0	275.97	1,998.79	12.4
Poundridge	21.74	12.1	63.76	85.50	2.92
Rye	1,641.71	71.7	972.02	2,613.73	6.2
Scarsdale	352.11	47.4	482.18	834.29	3.9
Somers	61.58	13.7	107.78	169.36	3.36
White Plains	4,209.67	43.9	1,033.40	5,243.07	9.7
Yorktown	168.33	12.6	146.80	315.13	4.25
	\$43,043.26		\$12,694.86	\$55,738.12	

TAXES OF 1907. TOTAL LEVY, COLLECTION, AND ARREARS

Name of Town	Total Tax Levy	Amt. Collected	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$44,889.85	\$43,591.80	97.2	\$1,298.05	2.8	\$64.90*	\$95.41
Cortlandt	98,303.56	94,535.15	96.2	3,768.41	3.8	188.42*	276.98
Eastchester	76,033.56	63,402.40	83.4	12,631.16	16.6	631.56*	928.34
Greenburgh	164,074.34	143,521.83	87.2	20,552.51	12.8	1,027.62*	1,510.61
Harrison	54,023.31	42,162.28	78.0	11,861.03	22.0	593.05	871.79
Lewisboro	9,096.32	9,018.32	99.2	78.00	.8	3.90	3.46
Mamaroneck	49,424.34	41,134.87	83.4	8,289.47	16.6	414.47	580.26
Mount Pleasant	64,403.37	54,270.37	84.3	10,133.00	15.7	506.65	709.31
New Castle	24,463.77	24,438.30	92.3	2,025.47	7.7	101.27	141.78
North Castle	7,453.38	6,425.13	86.2	1,028.25	13.8	51.41	71.98
North Salem	9,326.78	8,766.78	94.0	560.00	6.0	28.00	39.20
Ossining	46,190.74	43,275.39	93.7	2,915.35	6.3	145.77	204.07
Pelham	34,400.00	20,702.91	60.1	13,697.09	39.9	684.86	958.80
Poundridge	2,885.77	2,671.65	92.6	214.12	7.4	10.70	14.99
Rye	71,837.74	69,636.94	97.0	2,200.80	3.0	110.04	154.06
Scarsdale	27,815.07	24,974.17	89.4	2,840.90	10.6	142.04	198.86
Somers	9,101.78	8,693.30	95.5	408.48	4.5	20.42*	30.02
White Plains	71,183.65	52,488.50	73.7	18,695.15	26.3	934.76*	1,374.09
Yorktown	12,144.53	11,969.53	98.5	175.00	1.5	8.75	12.25
	\$879,051.86	\$765,679.62					
		\$113,372.24					

* Second penalty compounded.

TAXES OF 1907. TAX SALES

Name of Town	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Rate Per Sale	Clerk's Fees	Rate Per Sale
Bedford	803	\$297.00	\$6.00	\$0.00		\$200.75	.25
Cortlandt	48	104.63	0.00	0.00	\$0.00	12.00	.25
Eastchester	918	616.00	15.00	0.00	.00	454.00	.50
Greenburgh	3,514	1,104.00	20.00	2,635.50	.75	878.50	.25
Harrison	1,868	1,195.00	0.00	0.00	.00	467.00	.25
Lewisboro	0	0.00	0.00	0.00	.00	0.00	
Mamaroneck	869	673.25	16.00	432.00	.50	432.00	.50
Mount Pleasant	5,227	927.50	0.00	2,607.50	.50	1,302.75	.25
New Castle	6	158.62	0.00	1.50	.25	4.50	.75
North Castle	815	25.00	0.00	0.00		203.75	.25
North Salem	0	0.00	0.00	0.00		0.00	
Ossining	35	43.75	0.00	0.00		8.75	.25
Pelham	656	40.55	0.00	0.00		492.00	.75
Poundridge	0	0.00	0.00	0.00		0.00	
Rye	439	553.50	0.00	219.50	.50	219.50	.50
Scarsdale	129	96.00	0.00	0.00		35.50	.25
Somers	6	24.50	4.00	3.00	.50	3.00	.50
White Plains	1,011	1,539.00	186.80	0.00	.00	786.75	.75
Yorktown	2	4.00	0.00	0.50	.25	.50	.25
	16,346	\$7,402.30		\$5,899.50		\$5,501.25	

E. Estimated.

TAXES OF 1907. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate Per Lease	Clerk's Fees	Rate Per Lease	Acknowledgments	Rate Per Lease
Bedford	241	\$107.00	\$170.50	*	\$120.50	\$0.50	\$60.25	\$0.25
Cortlandt	3	47.25	3.00	*	1.50	.50	0.00	.00
Eastchester	511	334.00	305.00	*	255.00	.50	127.75	.25
Greenburgh ...	2,433	981.50	1,266.50	*	1,216.50	.50	628.75	.25
Harrison	1,104	800.00	602.00	*	552.00	.50	276.00	.25
Lewisboro	0	0.00	0.00		0.00	.00	0.00	.00
Mamaroneck ...	665	691.50	382.50	*	665.00	1.00	166.25	.25
Mt. Pleasant ..	3,675	841.75	1,887.50	*	1,928.00	.50	918.75	.25
New Castle	6	51.87	6.00	*	3.00	.50	1.50	.25
North Castle ..	432	25.00	266.00	*	216.00	.50	0.00	.00
North Salem ..	0	0.00	0.00		0.00	.00	0.00	.00
Ossining	11	15.75	11.00	*	5.50	.50	0.00	.00
Pelham	473	120.73	286.50	*	236.50	.50	118.25	.25
Poundridge	0	0.00	0.00		0.00	.00	0.00	.00
Rye	295	325.00	107.50	*	147.50	.50	73.75	.25
Scarsdale	82	56.75	15.00	**	41.00	.50	0.00	.00
Somers	0	0.00	0.00		0.00	.00	0.00	.00
White Plains ..	666	385.00	360.50	*	310.50	.50	155.25	.25
Yorktown	0	2.00	0.00		0.00	.00	0.00	.00
	10,597	\$4,785.10	\$5,759.50				\$5,698.50	

* First 100, \$1.00 each; the rest 50 cents each. ** Charge for time only.

TAXES OF 1907. TOTAL COSTS OF COLLECTION

Name of Town	Cost of Arrears	Per Cent. of Arrears	Per Cent. of Levy	Collector's Fees	Total Cost	Per Cent. of Levy
Bedford	\$1,122.31	86.5	2.53	\$1,017.14	\$2,139.45	4.77
Cortlandt	633.78	16.8	0.64	2,205.82	2,839.60	2.9
Eastchester	3,666.70	29.9	4.8	1,479.39	5,146.09	6.77
Greenburgh	11,269.48	53.6	6.8	3,348.84	14,618.32	8.9
Harrison	5,356.84	45.1	9.92	983.79	6,340.63	11.7
Lewisboro	9.36	12.0	.13	180.37	189.73	2.04
Mamaroneck	4,453.23	53.7	9.1	957.81	5,411.04	10.8
Mount Pleasant	11,629.71	114.3	18.2	1,266.31	12,896.02	20.02
New Castle	470.04	22.9	1.77	570.23	1,040.27	3.96
North Castle	859.14	83.5	11.5	167.05	1,026.19	13.8
North Salem	67.20	12.0	.72	204.56	271.76	2.91
Ossining	434.59	1.02	.942	1,009.76	1,444.35	3.14
Pelham	2,938.19	21.4	8.56	483.07	3,421.26	9.96
Poundridge	25.69	12.0	.89	62.34	88.03	3.2
Rye	2,000.35	99.99	2.79	1,624.86	3,625.21	5.06
Scarsdale	585.15	23.0	2.5	582.73	1,167.88	4.5
Somers	84.94	20.7	.93	202.85	287.79	3.16
White Plains	6,032.65	31.9	8.5	1,224.73	7,257.38	10.2
Yorktown	28.00	16.0	.23	279.29	307.29	2.5
	<u>\$51,667.35</u>			<u>\$17,850.94</u>	<u>\$69,518.29</u>	

TAXES OF 1908. TOTAL LEVY, COLLECTION, AND ARREARS

Name of Town	Total Levy	Amt. Collected	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$50,008.08	\$48,094.40	96.2	\$1,913.68	3.8	\$95.68*	\$140.66
Cortlandt	100,805.95	96,721.21	96.0	4,084.74	4.0	204.23*	300.23
Eastchester	68,046.82	57,847.25	85.0	10,199.57	15.0	509.98*	749.67
Greenburgh	175,426.97	150,092.59	85.6	25,334.38	14.4	1,266.72*	1,862.08
Harrison	50,204.23	40,008.88	80.0	10,195.35	20.0	509.77	749.36
Lewisboro	9,082.84	8,987.44	99.0	95.40	1.0	4.77	6.68
Mamaroneck	54,987.82	47,162.58	86.0	7,825.24	14.0	391.26	547.77
Mount Pleasant	68,992.14	53,719.64	78.0	15,272.50	22.0	763.63	1,069.03
New Castle	27,862.84	23,875.06	85.6	3,987.78	14.4	199.39	279.14
North Castle	8,134.31	7,040.80	86.5	1,093.51	13.5	54.68	76.54
North Salem	11,026.78	10,658.15	96.5	368.63	3.5	18.43	25.80
Ossining	51,211.06	48,169.81	94.1	3,041.25	5.9	152.06	212.89
Pelham	32,458.54	26,765.44	82.5	5,693.10	17.5	284.66	398.52
Poundridge	3,354.63	3,156.17	94.2	198.46	5.8	9.92	13.89
Rye	95,194.31	92,062.06	96.7	3,132.25	3.3	156.61	219.26
Scarsdale	40,083.02	37,410.25	93.3	2,672.76	6.7	133.64	187.09
Somers	7,614.28	7,117.81	93.5	496.47	6.5	24.82	36.49
White Plains	84,612.37	70,430.01	83.2	14,182.36	16.8	709.12	1,042.40
Yorktown	11,652.09	11,054.27	94.8	597.82	5.2	29.89	41.85
	\$950,759.08	\$840,375.83		\$110,383.25			

* Second penalty compounded.

TAXES OF 1908. TAX SALES

Name of Town	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Supervisor's Rate Per Sale	Clerk's Fees	Rate Per Sale
Bedford	153	\$68.50	\$6.00	\$0.00	\$0.00	\$38.25	\$0.25
Cortlandt	42	87.75	0.00	0.00	.00	10.50	.25
Eastchester	653	448.50	15.00	0.00	.00	326.50	.50
Greenburgh	5,004	2,018.50	325.00	3,753.00	.75	1,251.00	.25
Harrison	1,467	950.00	0.00	0.00	.00	366.75	.25
Lewisboro	0	0.00	0.00	0.00	.00	0.00	
Mamaroneck	718	547.75	16.00	359.00	.50	359.00	.50
Mount Pleasant	5,507	930.25	0.00	2,748.00	.50	1,374.00	.50
New Castle	11	199.00	0.00	2.75	.25	8.25	.75
North Castle	356	25.00	0.00	0.00	.00	89.00	.25
North Salem	0	0.00	0.00	0.00	.00	0.00	
Ossining	18	36.00	0.00	0.00	.00	4.50	.25
Pelham	594	140.02	0.00	0.00	.00	445.50	.75
Poundridge	0	0.00	0.00	0.00	.00	0.00	
Rye	598	492.00	0.00	299.00	.50	299.00	.50
Scarsdale	129	89.50	0.00	0.00	.00	32.25	.25
Somers	3	2.00	5.00	1.50	.50	1.50	.50
White Plains	1,200	755.50	191.00	0.00	.00	905.25	.75
Yorktown	4	4.00	0.00	1.00	.25	1.00	.25
	16,457	\$6,794.27		\$7,164.25		\$5,512.25	

TAXES OF 1908. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate Per Lease	Clerk's Fees	Rate Per Lease	Acknowledgments	Rate Per Lease
Bedford	129	\$58.50	\$114.50	*	\$64.50	\$0.50	\$32.25	\$0.25
Cortlandt	0	40.50	0.00	*	0.00		0.00	
Eastchester ...	384	250.00	242.00	*	192.00	.50	96.00	.25
Greenburgh ...	4,200	1,400.00	2,150.00	*	2,100.00	.50	1,050.00	.25
Harrison	1,083	775.00	591.50	*	541.50	.50	270.75	.25
Lewisboro	0	0.00	0.00	*	0.00		0.00	
Mamaroneck ...	562	596.50	331.00	*	562.00	1.00	140.50	.25
Mt. Pleasant ..	3,894 E	900.00	1,997.00	*	1,947.00	.50	973.50	.25
New Castle	11	72.00	11.00	*	5.50	.50	2.75	.25
North Castle ...	324	25.00	212.00	*	162.00	.50	0.00	.00
North Salem ...	0	0.00	0.00		0.00		0.00	
Ossining	10	18.00	10.00	*	5.00	.50	0.00	
Pelham	401 E	150.00	250.00	*	200.50	.50	100.25	.25
Poundridge	0	0.00	0.00		0.00		0.00	
Rye	395	592.00	247.50	*	197.50	.50	98.75	.25
Scarsdale	77	97.80	20.00	**	38.50	.50	0.00	
Somers	3	10.50	3.00	*	1.50	.50	.75	.25
White Plains ...	668	441.75	384.00	*	334.00	.50	0.00	
Yorktown	0	2.00	0.00		0.00		0.00	
12,141		\$5,429.55	\$6,564.00		\$6,351.50			

E. Estimated. * First 100, \$1.00 each; the rest 50 cents each. ** Charge for time only.

METHOD AND COST OF COLLECTING

TAXES OF 1908. TOTAL COSTS OF COLLECTION

Name of Town	Cost of Arrears	Per Cent. of Arrears	Per Cent. of Levy	Collector's Fees	Total Cost	Per Cent. of Levy
Bedford	\$618.84	32.2	1.23	\$1,122.20	\$1,741.04	2.34
Cortlandt	643.21	15.7	.64	2,256.83	2,900.04	2.09
Eastchester	2,829.65	27.9	4.17	1,349.76	4,179.41	6.17
Greenburgh	17,176.30	68.0	9.72	3,502.15	20,678.45	11.7
Harrison	4,754.63	46.6	9.5	933.54	5,688.17	11.3
Lewisboro	11.45	12.0	1.26	179.74	191.19	2.1
Mamaroneck	3,760.78	48.2	6.85	1,000.46	4,761.24	8.7
Mount Pleasant	12,702.46	83.5	18.5	1,253.46	13,955.92	20.3
New Castle	779.78	19.5	2.79	557.08	1,336.86	4.8
North Castle	644.22	59.0	7.91	192.33	836.55	10.2
North Salem	44.23	12.0	.4	248.79	293.02	2.66
Ossining	438.45	.914	.856	1,123.96	1,562.41	3.31
Pelham	1,969.95	34.7	6.06	624.53	2,594.48	7.97
Poundridge	23.81	12.0	.71	73.64	97.45	2.9
Rye	2,601.62	83.5	2.74	2,148.11	4,749.73	5.0
Scarsdale	598.78	22.4	1.49	972.90	1,571.68	3.93
Somers	97.06	19.5	1.27	166.08	263.14	3.46
White Plains	4,763.02	33.6	5.63	1,643.47	6,406.49	7.57
Yorktown	79.74	13.3	.68	257.93	337.67	2.9
	\$54,537.98			\$19,606.96	\$74,144.94	

APPENDIX II. TAXES OF 1904—1908 INCLUSIVE

TOTAL LEVY, COLLECTIONS, AND ARREARS, WITH 5 PER CENT. & 7 PER CENT. PENALTIES

Name of Town	Total Levy	Amt. Collected	Per Cent. of Levy	Unpaid Return	Per Cent. of Levy	Penalty 5 Per Cent.	Penalty 7 Per Cent.
Bedford	\$172,992.05	\$167,549.06	96.3	5,442.99	3.7	\$272.14	\$400.07
Cortlandt	387,483.47	368,943.61	95.2	18,539.86	4.8	926.99	1,362.68
Eastchester	340,558.97	290,800.62	85.4	49,758.35	14.6	2,487.92	3,657.24
Greenburgh	716,203.51	627,959.83	87.6	88,243.68	12.4	4,412.18	6,485.91
Harrison	210,013.66	172,891.54	82.4	37,122.12	17.6	1,856.11	2,728.48
Lewisboro	39,494.54	38,279.37	96.6	1,215.17	3.4	60.76	85.06
Mamaroneck	195,916.69	166,760.96	85.1	29,155.73	14.9	1,457.78	2,040.90
Mount Pleasant	274,951.79	225,162.45	82.0	49,789.34	18.0	2,489.47	3,485.25
New Castle	109,270.75	100,357.50	91.5	8,913.25	8.5	445.66	623.92
North Castle	44,264.50	30,551.12	69.0	13,713.38	31.0	685.67	959.94
North Salem	76,988.70	65,166.57	85.0	11,822.13	15.0	591.11	827.55
Ossining	267,614.15	255,870.77	95.6	11,743.38	4.4	587.17	822.03
Pelham	127,551.08	95,840.41	75.1	31,710.67	24.9	1,585.54	2,219.75
Poundridge	14,223.27	13,227.07	93.0	996.20	7.0	49.81	69.73
Rye	353,082.63	343,311.31	97.3	9,771.32	2.7	488.56	683.99
Scarsdale	126,467.89	119,176.97	94.3	7,290.92	5.7	364.54	510.35
Somers	44,585.64	41,748.68	93.7	2,836.96	6.3	141.84	208.52
White Plains	318,631.56	250,506.17	81.5	59,125.39	18.5	2,956.27	4,345.71
Yorktown	54,996.81	46,846.38	85.2	8,150.43	14.8	407.52	570.53
	\$3,875,291.66	\$3,429,950.39		\$445,341.27		\$22,267.04	\$32,087.61

TAXES OF 1904—1908 INCLUSIVE. TAX SALES

Name of Town	No. of Sales	Advertising	Supervisor's Expenses	Supervisor's Fees	Rate Per Sale	Clerk's Fees	Rate Per Sale
Bedford	3,727	\$1,071.75	\$30.00	\$00.00	\$00.00	\$931.75	\$0.25
Cortlandt	199	392.88	00.00	00.00	00.00	49.75	.25
Eastchester	3,520	2,455.50	85.00	00.00	00.00	1,755.00	.50
Greenburgh	17,911	6,827.00	405.00	13,433.25	00.75	4,477.75	.25
Harrison	7,108	4,445.00	00.00	00.00	00.00	1,826.50	.25
Lewisboro	0	.00	0		0	.00	
Mamaroneck	3,287	2,623.50	50.00	1,643.50	00.50	1,643.50	.50
Mount Pleasant	23,078	4,019.00	00.00	11,508.50	00.50	6,214.75	.50
New Castle	36	641.61	00.00	9.00	00.25	27.00	.75
North Castle	5,035	125.00	00.00	0.00		1,258.75	.25
North Salem	1	3.00	10.00	00.00	00.00	.25	.25
Ossining	96	317.75	00.00	00.00	00.00	24.00	.25
Pelham	2,513	432.24	00.00	00.00	00.00	1,884.75	.75
Poundridge	2	00.00	00.00	00.00	00.00	000.50	.25
Rye	1,790	1,887.00	00.00	895.00	00.50	895.00	.50
Scarsdale	585	504.75	00.00	00.00	00.00	112.50	.25
Somers	13	36.50	14.50	6.50	00.50	6.50	.50
White Plains	4,856	4,270.75	1,016.03	00.00	00.00	3,475.75	.75
Yorktown	12	13.00	00.00	3.00	00.50	3.00	.50
	73,769	\$30,066.23	\$1,610.53	\$27,498.75		\$24,557.00	

TAXES IN WESTCHESTER COUNTY

67

TAXES OF 1904—1908 INCLUSIVE. TAX LEASES

Name of Town	No. of Leases	Advertising	Supervisor's Fees	Rate Per Lease	Clerk's Fees	Rate Per Lease	Acknowledge-ments	Rate Per Lease
Bedford	2,748	\$1,025.50	\$1,594.00	*	\$1,374.50	\$0.50	\$687.00	\$0.25
Cortlandt	84	175.07	4.00	*	2.00	.50		
Eastchester	2,114	1,368.50	1,306.50	*	1,056.50	.50	528.50	.25
Greenburgh	13,816	5,028.75	7,184.00	*	6,934.00	.50	3,484.00	.25
Harrison	4,391	3,894.00	2,445.50	*	2,195.50	.50	1,997.75	.25
Lewisboro	0	0	0		0		0	.25
Mamaroneck	2,501	2,651.75	1,500.50	*	2,501.00	1.00	625.75	.25
Mt. Pleasant	16,623	3,379.75	8,561.50	*	8,694.50	.50	4,155.75	.25
New Castle	34	228.49	34.00	*	17.00	.50	8.50	.25
North Castle	3,001	125.00	1,750.50	*	1,500.50	.50		
North Salem	0	0	0		0		0	
Ossining	37	61.75	37.00	*	18.50	.50	0	
Pelham	1,869	352.89	1,184.50	*	934.50	.50	467.25	.25
Poundridge	0	0	0		0		0	
Rye	1,180	1,668.00	705.25	*	595.50	.50	297.50	.25
Scarsdale	289	250.55	47.00	**	201.00	.50	0	
Somers	3	13.00	3.00	*	1.50	.50	.75	.25
White Plains	3,498	2,326.75	1,998.50	*	*** 1,972.00	.50	837.00	.25
Yorktown	3	6.00	3.00	*	1.50	.50	.75	.25
	52,191	\$22,555.75	\$28,286.25		\$27,999.50		\$12,190.50	

* First 100, \$1.00 each; the rest 50 cents each. ** Charge for time only. *** Includes binding.

TOTAL COSTS OF COLLECTION TAXES OF 1904—1908 INCLUSIVE.

Name of Town	Total Cost Arrears	Per Cent. of Arrears	Per Cent. of Total Levy	Collector's Fees	Total Cost	Per Cent. of Total Levy
Bedford	\$7,386.21	135.7	4.26	\$3,909.47	\$11,295.68	6.35
Cortlandt	2,913.37	15.7	.752	8,842.02	11,755.39	3.9
Eastchester	14,700.66	29.6	4.32	6,780.13	21,480.79	6.25
Greenburgh	58,671.84	66.6	7.91	14,662.01	73,333.85	10.12
Harrison	20,488.84	85.5	9.55	3,998.25	24,487.09	11.6
Lewisboro	145.82	12.	.365	809.81	955.63	2.45
Mamaroneck	16,737.68	58.5	8.56	3,799.08	20,536.76	10.25
Mount Pleasant	52,508.47	105.2	19.1	5,253.79	57,762.26	21.00
New Castle	2,035.18	22.5	2.13	2,341.91	4,377.09	4.00
North Castle	6,405.36	46.5	14.5	803.60	7,208.96	16.3
North Salem	1,431.91	12.1	1.86	1,501.30	2,933.21	3.8
Ossining	1,868.20	15.9	.7	5,970.31	7,838.51	2.92
Pelham	9,061.42	31.3	7.1	2,236.28	11,297.70	8.66
Poundridge	120.04	12.5	.84	308.63	428.67	2.92
Rye	8,115.80	83.3	2.27	8,010.58	16,126.38	4.56
Scarsdale	1,990.69	27.4	1.57	2,880.83	4,871.52	3.85
Somers	432.61	15.2	.97	978.12	1,410.73	3.16
White Plains	23,188.76	39.2	7.2	6,055.25	29,244.01	9.2
Yorktown	1,008.30	12.3	1.8	1,092.29	2,100.59	3.8
	\$229,211.16	51.2	5.9	\$80,233.66	\$309,444.82	8.0

- Accounting systems; Advocated by the Bureau, 3*—provided, 4.
- Advertising; legal rate for, 7—divergence in rates, 8, 24, 32—efficiency of, 24—law regulating, 19, 20, 23—of leases, 20.
- Arrears; collection of, 13,—Chap. III. entire—Governed by Westchester Co. Tax Sale Law, 12—Cost of, see "delinquent taxes" and "cost."—Chart of cost, 44.
- Assessment; Law governing, 10—11—law too difficult, 13—one assessment for all taxes recommended, 9, 37—illegal rolls, 13—14—simplified assessment needed, 9, 36—on property instead of owner, 9, 37.
- Assessment Rolls; Made up, 10—exhibited for correction, completed, filed, delivered to supervisor, equalized by county board, 11—delivered to collector, 12—variations in form of, 13—illegal, 14.
- Assessors; election of, 10—duties of, 10—usually inexperienced, 14.
- Auction; of delinquent properties, 8—mere formality, 8—few bidders at, 8, 24—tax sale, 20.
- Buyers; few at tax sales, 8, 24.
- Causes of inefficiency; 3.
- Charts; 41-44—see "collection" and "cost."
- Collection; By county treasurer, 9, 37—contrast legal method with business methods, 15—chart of, by townships, 41—cost of, see "cost"—law regulating, 12—methods inefficient and unbusinesslike, 14-17, 36 — of arrears in Westchester Co., 17-32 —three processes involved in, 10—helped by tax bills, 15-16—delayed by legal procedure, 13—simple finance, 14—state law governing, 10-13—of delinquent taxes (arrears) by proceedings to judgment and sale, 10, 38.
- Collectors; more than 200, 8—should be abolished, 9, 37—duties of, 12, 18—bond of 18, 22—commissions (fees) of unsalaried, 16-17—delay pays better than promptness, 17—difficult
- culty of finding, 14—duplicate receipts for return, 18—fees of estimated, 33—must add 5 per cent. to "return," 18—to receive 2 per cent. of return, 18—receipt not filed with Co. treasurer, 22—receipt of roll and warrant by, 12.
- Comptroller, state; state tax, notice given by, 11—opinion regarding illegal assessments, 13.
- Condensed statement; of tax investigation, 5-10.
- Conclusions; derived from tax investigation, 35-36.
- Confiscation; by repeated leases, 30—paid by the township, 31.
- Co-operation; principle of the Westchester County Research Bureau, 3—check upon misgovernment, 4.
- Cortlandt; records of complete, 23.
- Cost of tax collection; impressed investigators, 5 — included in study, 5—great amount of, 8, 9, 32—variation in, 9—explanation of term, "cost," 34—percentages of, 34-35—items of, 34—of delinquency, 34-35—of 1908 school tax, 35,—total tax of 1908 cost over \$100,000.00, 35—of village taxes, incomputable, 35—charts of, 42-44—tables of, appendices I. and II., 45-68—of taxes of 1904, 45-48—of taxes of 1905, 49-52—of taxes of 1906, 53-56—of taxes of 1907, 57-60—of taxes of 1908, 61-64—of taxes of five years, 1904 to 1908, 65-68.
- County treasurer; should collect all taxes, 9, 37—must borrow deficiencies of town taxes, if needed, 19—collector's receipts to be filed with, 18—must make public record of tax sales, 22—should keep all records of tax collections, 37—should return tax rolls to computing officer, 40.
- Deficiency in taxes; formulation of, 18—supplying funds for, 19—faulty administration of, 22.
- Deficient records, see "records."
- Delinquency; encouraged by relevy, 7—penalties for, 7.
- Delinquent properties; not disposed of, 7—auction of, 8.

* Numbers refer to pages of this report.

- Delinquent taxes; see "arrears"—under Westchester Co. special law, 6—undue cost of, 6—collection should be by judgment and sale, 10, 38—law governing collection of, 18-21—cost of, 34. tables showing, 45-68.
- Difficulties; of securing tax information, 5, 14, 34.
- Duplicate; receipts to collector, 18—certificates of sale, 21—no statutory fee for, 26—charged for by supervisors, 25-26—by town clerks, 26-27—sometimes not recorded, 27.
- Equalization; by the county board, 11.
- Extravagance in government; causes of, 3.
- Extension of collector's warrant, 7 also footnote.
- Farical features; of tax lease, 31-32.
- Fees; abolition of, 9, 37—apparently unauthorized, 8—amount of, 8, 25-27—tables of, 25-27—by supervisors, 25—by town clerks, 26—Public Officers' Law regarding unauthorized, 26, note—of collectors, 16-17—for leases, 21.
- General tax law; see "tax law"—assessment and levy governed by, 5—defects of, 6.
- Incongruities of general tax law, 13.
- Inefficiency of government; causes of, 3.
- Installments; for paying taxes, 9, 39.
- Investigation; of tax administration, begun, objects of, 5—condensed statement of, 5-10 includes state, county, and town taxes only, 17—analysis and exposition of material facts, 10-35—collection of material, 32—tabulation of statistics, 45-68—conclusions and recommendations, 35-40.
- Law; see "tax law."
- Lease; see "tax lease."
- Levy of taxes; procedure, 11—amount of, see tables, 45, 49, 53, 57, 61, 65—same time of year for all taxes, 37—on same assessment, 37—on property instead of on owner, 36-37.
- Liens; see "tax liens."
- Penalties for delinquency; not uniform, 7, 22—5 per cent. added by collector, 12, 18—7 per cent. added by town board, 19.
- Precedent; followed by untrained officials, 3.
- Premiums upon delay and inefficiency, 16-17.
- Publication of tax notice, see "tax notice."
- Reassessment; 23.
- Recommendations; 9, 36-40.
- Records; of tax sales, by town clerk, 20—by Co. treasurer, 20—incomplete, 8, 27—of town proceedings, 23—of leases, 21—all tax records matters for central office, 37.
- Redemption; of property sold, 20—after advertising, 21—not after lease, 21—many small parcels not redeemed, 31—reasonable period for, recommended, 38.
- Remedies recommended, 8-9—36-40.
- Return of unpaid taxes; law governing, 18—delayed, 22—receipts for, 22—not always correct, 22—amount of, see tables, appendices I. and II.
- Rye; tax bills used by, 17—salaried receiver, 17.
- Sale; see tax sales.
- Sherman Park; abandoned lots, 31.
- Supervisor; presents assessment roll to county board, 11—spreads taxes on roll, 12—collector's return made to, 12—collection of arrears by, 13—must borrow deficit, make list of rejected taxes, present same to county board, advertise delinquent realty, 19—sell same at auction, buy for town, give certificate of sale, file duplicate with Co. treasurer, 20—advertise redemption, execute lease, fees for lease, 21—sometimes withholds collector's receipt, 22—questionable fees of for tax sales, 25-26.
- Supervisors; county board of, equalization by, 11—makes county budget, 11-12—authorizes tax rates, 12—issues tax rolls and warrants to collectors, 12.

- Tax; validity of uncertain in Westchester County, 6.
- Tax Bills; efficiency of, 15—towns using, 15—towns not using, 15—attorneys' opinions regarding, 16—recommended, 9, 37—a ministerial function only, 10, 38.
- Tax law; general state law, 10-12—defects of, 6, 13—special law for tax sales, see "Westchester County Tax Sale Law."
- Tax leases; uncertainty as to validity of, 7, 31—reduplication of on same property, 8, 28—administration of, a failure, 7, 23-32, 36—work confiscation of property, 7, 31-32—law governing, 20-21—"title" vested by, 21—town's rights in leased properties, 29-30—use of and profit from, 30—tables of statistics regarding, appendices I. and II.
- Tax liens; invalid in Westchester County, 31, 36.
- Tax notice; publication of, 14—inefficiency of, 14-16.
- Tax Rolls; see "assessment rolls."
- Tax Sales; Under Westchester County special law, 17—preliminary steps, 19-22—date for, 20—meaning of term "sale," 20, note—records of, 20—how conducted in practice, 23-28—advertising, 23—perfunctory character of, 24—questionable fees for, 25-27—cost of, 34-35—tables of statistics of, appendices I. and II. judgment should precede, 38.
- Tax sale law; see "Westchester County Tax Sale Law."
- Tax sale "titles;" poorer in Westchester County than elsewhere, 17—vested in the town as purchaser, 21, 30—vagueness of law regarding, 32.
- Taxes; all to be levied at same time, 37—collected taxes to be distributed to various local bodies, 38—levy of, 11-12—collection of, 12-13—delinquent, see "delinquent taxes," and "arrears"—cost of collecting, 32-35—on town leases, to be paid by the town, 29-30—several at different times of the year unnecessary, 36.
- Titles; see "tax sale titles."
- Town board; votes town taxes, 11—must review collector's return, 19—must add 7 per cent penalty, 19—review neglected by, 22—no statutory date for review, 23—must designate newspaper for advertising sales and redemptions, 24.
- Town clerk; assessment roll filed with, 11—must record certificates of sale, legal fee for same, 20—must record leases, legal fee for same, 21—questionable fees charged by, 25-27—record books of, 23.
- Untrained officials; cause of misgovernment, 3.
- Unpaid taxes; see "delinquent taxes" and "arrears."
- Westchester County Research Bureau; non partisan, 3—aims of, 3—presents report, 4—courtesy shown to, 4—co-operation on the part of, 4—services of, 4—undertakes tax study, 5—recommends remedies 8, 36.
- Westchester County Tax Sale Law; citation of, 6—plan of, 6, 13—defects of, 6, 13—how complied with, 7-9, 22-32—amendments of, 18—substance of, 18-21—repeal of recommended, 9, 36—failure of, 36.

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Why
New York
Needs a
State Police

**What a State Police Has
Done For Pennsylvania**



7 EAST 42nd ST., ANNEX
The Committee for a State Police
20 Vesey St., New York

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Why New York Needs A State Police

Outside of its cities with their well organized municipal police forces, New York State has no adequate agency for preserving the peace and dealing with law breakers. This state of affairs has given rise to a constantly growing demand for the creation of a specially trained body of mounted state police for patrol duty in rural districts.

Changing conditions in recent years have aided the extension of the operations of professional criminals from the big cities to the small towns and rural territory of the state. Excellent trolley service, the state's good road system and the automobile give them easy access to unguarded suburban homes, the village bank, post office and railroad station and the safe of the small town factory or till of the country store. The records in any county outside of Greater New York for the last ten years will show a long succession of crimes, varying from crop stealing to murder, for which no one was ever punished. The recent robbery and murder of the farmer Seacord in Westchester County and the notorious series of automobile hold-ups on the Niagara Falls boulevard several months ago are typical instances. This is not to say that crime is more prevalent in the rural sections and small communities than in the large cities. But the local constables and sheriffs cannot preserve the peace or detect and catch criminals as can the well-disciplined police of the cities. They have not the men to patrol their jurisdictions to protect the residents

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and to serve as a deterrent of crime. No sheriff could obtain from the county supervisors an appropriation for a force of deputies to patrol the county. There is a logical, simple and inexpensive way to better this condition. That is the establishment of a body of specially trained and equipped mounted men to cover the sections of the state now unpoliced and unpatrolled.

Creation of a state police force is one of the imperative reforms in administration. It is demanded by officials whose experience has proved its need. Fred M. Ackerson, Judge of the Court of Claims, declared in 1914, when he was district attorney of Niagara County: "The rural districts of this State are practically without protection against the criminal. It was only a short time ago that in ashes by the side of the Rome, Watertown & Ogdensburg Railroad, a short distance from here, there were found human bones. From some metal trinkets found with these bones, they were identified as the remains of a tramp who for some reason was murdered and his body burned. In the past year robbery and attempts at robbery have been frequent upon the highways in this county, the perpetrators of which have never been discovered. Rural banks in this county have been blown to pieces by dynamite and robbed; nearly every post office safe in Western New York has been robbed, and I do not now recall anybody ever having been convicted for these crimes. The ordinary constable or deputy sheriff can serve subpoenas and make a levy under an execution, providing he is feeling well; but as a general rule he is incapable of coping with even a third-class criminal. I cannot recommend too highly your plan for a State Police to en-

force the law and for the protection of life and property."

William D. Cunningham, District Attorney of Ulster County, in 1914, declared: "I am emphatically in favor of a State Police. I believe I have had more practical experience with such a body than any public officer in the State of New York. I have been District Attorney of Ulster County for more than six years, during which period the great work of constructing the Ashokan Dam has been in progress with thousands of laborers employed. Many of these men were criminals and had it not been for the Board of Water Supply police the situation would have been deplorable. Instead this police body, in many respects similar to the State Police, was at all times in control of the situation. They were quick, mobile, intelligent and aggressive. Except in the small cities and in incorporated villages the present system of constables and deputy sheriffs is worthless and at the same time expensive. One-tenth of the number of officers, if mounted and disciplined, would give better protection at less cost."

Thomas Gagan, District Attorney of Rockland County in 1914, wrote that he believed "the inauguration of such a police force will conserve the best interests of the people of the State of New York and give rural communities a protection which they have not at present."

A State Police force is a permanent agency for protection and law enforcement, distributed geographically over thousands of square miles of territory now inadequately policed. It is always on duty ready for any emergency, with its members especially trained for guarding the public against law-breakers. It is an aid for every judge, dis-

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trict attorney, sheriff, mayor and chief of police in emergencies. It enforces the laws without fear of political influence or the favoritism which comes from local friendships and associations. It is a money-saver because it is a deterrent of crime and a certain means of justice in capturing and convicting criminals. It could save New York State thousands of dollars each year now paid for the expenses of sheriffs' posses and would do better work.

The neighboring State of Pennsylvania has had such a force since 1906, when it was established on a military basis suggested by the splendid work of the Texas Rangers, the Philippine Constabulary and the Northwest Mounted Police of Canada. It is on the remarkable record of the Pennsylvania Police that the demand for a State Constabulary in New York is based.

This body of troopers, many of them cavalrymen, honorably discharged from the United States Army, is made up of picked men, taught the laws of the commonwealth and schooled to enforce them with absolute impartiality against offenders of all classes. Attempts to repeal the law under which it was established have failed because of general recognition of its value. It has been kept free from politics and from considerations of class. It has won the respect of the labor unions. They know that strikers who do not break the laws have nothing to fear from the troopers, whereas if they do break the laws this police machine will do its duty impartially. During the recent Westinghouse strike it became apparent that rioting was to be feared. A company of the State Police was assigned to preserve order. The captain summoned the strikers' leaders to meet him and told them that he and his

men were there to preserve order and intended to do it at any cost. He made it plain that the police had no bias on the matters which brought about the strike and had only one purpose—to preserve order and enforce the laws. The reasonableness of this attitude appealed to the strike leaders. There was no violence in this captain's jurisdiction, and when the police were withdrawn at the settlement of the strike, the strikers cheered them.

Strike duty, however, has been the less important side of the work of the Pennsylvania police. Its daily routine is to patrol the State of Pennsylvania outside of the cities, to preserve order, make arrests for crimes, the commission of which its members see, and to aid county and municipal authorities in law enforcement, on request. It specially enforces the game and automobile laws and the orders of the State Department of Health. It is used for emergency work in cases like that of the Austin flood, where it distinguished itself for its efficiency. It was used to equal advantage in handling the big celebration of the fiftieth anniversary of the battle of Gettysburg.

In 1913 this force patrolled more than 625,000 miles of rural roads never patrolled before its creation, visiting 2,839 towns in 66 counties. It made 2,463 arrests, nearly all in country districts. Of these prisoners, 2,165 were convicted or still have cases pending. There were 132 arrests for drunkenness, with 128 convictions; 174 arrests for assault, with 54 convictions; 49 disorderly house arrests, with 44 convictions; 40 arrests for murder, with 23 convictions or cases still pending; 39 arrests for gambling, with 35 convictions; 32 arrests for rape, with 22 convictions; 25 arrests for horse

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stealing, with 16 convictions. In 1914 the force patrolled 645,000 miles and otherwise extended its work.

The enlisted members of this force number only 220 men. The total expenses, including salaries, for the year 1913, were \$325,000.00.

On the score of economy alone, a State police force is desirable. It is to some degree a discourager of crime, and it is cheaper to prevent crime than to punish for it. It can be used to replace the expensive and inefficient sheriff's posses. Since the establishment of a force in Pennsylvania, the National Guard of that State has not been called on for strike duty. The last time it was called out, in the Hazelton strike, in 1902, it cost the State over \$995,000.00 for the eight weeks' service. This does not take into consideration the personal loss in salaries to the guardsmen who had to be away from their occupations for two months.

In 1914 there was a serious strike in New York State at the Gould Coupler Co., at Depew, Erie County. It became necessary for Sheriff Frederick Becker to call out about 200 special deputies. These men proving inadequate, the 74th Regiment of Infantry was brought to the scene. It remained on duty for 15 days, after which Troop I, First Cavalry, was assigned to take the place of the infantry regiment. The cavalry remained on duty for two weeks. The cost to Erie County was \$75,000.00. No estimate has ever been made of the loss of wages to the National Guardsmen and the loss to business men of the vicinity due to inefficient policing.

"If we had had a State constabulary," Mr. Becker says, "100 men could have handled

the situation without difficulty even at its worst moments and there would have been a tremendous saving to taxpayers."

Later Buffalo had a street car strike in which the militia had to be called out. "During the street car strike," says Mr. Becker, "the patrols consisted of eight men with rifles. With a State constabulary one mounted man for every two blocks could have preserved order and there wouldn't have been the expense of the militia or the inducement to disorder of seeing rifles and bayonets every time one took a step."

SOME OPINIONS REGARDING THE STATE POLICE.

Henry L. Stimson, ex-Secretary of War: "I have long been a supporter of the idea of having a force of constabulary created in this State. The National Guard cannot easily or effectively do the work of a constabulary. Its use is not only most expensive, but in doing riot duty or serving in labor troubles the men often feel that they are being called upon for duty which is not strictly military and which was not the primary purpose of their enlistment. The creation of a paid force of State constabulary is, therefore, a necessary unit in the development of a proper military system for this country. Its creation will leave the National Guard free for development in the line of its most effective and patriotic purpose and will remove the causes of friction which now exist with the labor element of our population. The experience which the State of Pennsylvania has had with its fine force of State Constabulary also shows how effective such a body of men can be made at an expense which is in-

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significant in comparison with the expense of using the National Guard. I believe that the creation of such a force in the State of New York would insure the protection of life and property in a much more effective manner than has heretofore been achieved, and would at the same time free the National Guard for what I believe to be its more suitable function."

Arthur Woods, Police Commissioner, City of New York: "I know that the work of the New York City Police Department would be helped if there were a State body of police covering the rural part of the State with which we could work in close co-operation. We are often hampered now in the effort to arrest men who flee the city. Unless they go to one of the cities so that we can co-operate directly with an organized police force, we are under great handicap. A State police force would go a large way toward overcoming this. Besides this, I believe that a State force would certainly give much needed protection to those parts of the State which are now practically without police protection."

Gen. Francis V. Greene, Ex-Police Commissioner, New York City: "I am heartily in sympathy with the movement for a State police and have been for several years. I shall be glad to do anything in my power to help bring it about."

The Chamber of Commerce, Rome, N. Y., by William A. Searle, Secretary: "The executive committee of the Rome Chamber of Commerce believe the general idea of a State police to be a good one. I am instruct-

ed to convey to you the notice of their action favoring the establishment of a State police."

The Board of Trade of the Village of Port Henry, Essex County, N. Y.: "We believe that the establishment by the State of New York of a mounted constabulary would be of great benefit and value to every resident and taxpayer in, not only this, but every rural county in the State. For the experience of every State where a State police has been established has proved that such a body, although few in numbers, and taking the place of many minor officials, has reduced the taxes and been of great benefit to all, not only bringing criminals to justice, but of incalculable benefit in preventing crime, and enforcing the laws and protecting the lives and property of all residents as well as the property of the State."

Charles E. Treman, Ithaca, Ex-Supt. of Public Works of N. Y. State: "I thoroughly sympathize with the establishment of a State constabulary similar to that in the State of Pennsylvania."

George F. Shrady, Superintendent of the New York City Board of Water Supply Police: "I believe a mounted State police force would be of benefit to the public at large, especially in isolated country districts, where the citizens are obliged to rely upon the inexperienced, inefficient local constable for protection. If the people in the country districts want the proper kind of protection against the tramp, the poacher, the horse thief, the burglar, the ravisher of women and the murderer, they should have a well organized force such as I have on the Great

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Catskill Aqueduct, 100 miles in length. We are peace officers of the several counties through which the aqueduct runs. A State police force could be given more latitude, could be given a roving commission and perform the duties of police officers in all parts of the State. My men have arrested 3,950 persons guilty of misdemeanors and 751 persons guilty of felonies. Convictions have been secured in 3,785 cases."

The Chamber of Commerce of the State of New York:

"Whereas, A State police would not only 'to a great extent relieve the National Guard and Naval Militia from guarding property in cases of strikes and other labor troubles, but would also more effectively protect the public, particularly in the rural districts, and

"Whereas, The State police established in Pennsylvania has been of great benefit to the public; and

"Whereas, A committee of representative citizens has been organized to study the question from the standpoint of the citizens of this State; therefore, be it

"Resolved, That the Chamber of Commerce of the State of New York strongly endorses the principle of a State police and authorizes the Executive Committee to take such measures as it may deem proper to promote its establishment in this State."

Arthur P. Rose, Ex-Mayor of Geneva, N. Y.: "I am heartily in favor of the movement for the establishment of a force of mounted police in this State and shall be glad to do anything in my power to further it."

"J. Mayhew Wainwright, Ex-Senator: "I would like to see New York State have a police force similar to that of Pennsylvania's mounted police if for no other reason than because I believe the National Guard should be relieved of the incubus of strike duty."

Prof. Henry Fairfield Osborn: "I am in hearty sympathy with this movement for a State-wide police force."

Clark Bell, President of the Medico-Legal Society: "I am quite in sympathy with your movement. In the rural districts of the State there is no present protection against criminals and lawless acts."

Col. George R. Dyer: "I feel strongly on the subject of a mounted constabulary for the State of New York. I am sure you can count on every resident of Long Island to back you up on this proposition."

Robert W. DeForest: "I am familiar with the effective service given the rural communities of Pennsylvania by its State Constabulary. I think our New York rural communities imperatively need the same kind of protection."

W. Austin Wadsworth, President Boone and Crockett Club: "Personally and as president of this club I am entirely in sympathy with the movement."

The Merchants' Association of New York:

"Whereas, The growth of population throughout the State is producing a police

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problem of constantly increasing complexity, and

"Whereas, The local police authorities, particularly in the rural districts, are oftentimes inadequate to met the growing necessities of police protection, and

"Whereas, The State Militia is organized primarily for military duties and is not trained specifically for the radically different work of police protection, and

"Whereas, The use of Militia for police protection is therefore less satisfactory and probably more expensive than the employment of a technically trained constabulary, and

"Whereas, The operations of such a constabulary in the State of Pennsylvania have demonstrated its great usefulness and economy, now, therefore, be it

"Resolved, That the Merchants' Association of New York endorses the principle of a State Constabulary in the State of New York similar to that so successfully employed 'by the State of Pennsylvania, and urges upon the Legislature the immediate enactment of the laws necessary to establish such a force at the earliest practicable date.'"

Some Examples of the Work of the Pennsylvania State Police Taken From the Official Records:

CRUELTY TO ANIMALS.

Dec. 21, 1912.—Members of the Susquehanna sub-station Troop "B" received complaint from Chief of Police McMahon of that place, relative to Park Grace and M. B. Grace, who had been away from home for several days on a spree, and had left no one

to care for their stock. Sergeant Smith and Private Ammon found the Grace brothers drunk in Susquehanna. Their fifteen head of cattle and two horses had not been fed for two days.

The stock received necessary care, the Grace brothers were arrested, charged with cruelty to animals and held for court.

ARSON.

Dec. 23, 1912.—At the request of District Attorney Strauss, of Northumberland County, Corporal Charles Culver of Troop "B" was sent to investigate the burning of barn of W. A. Hoffman, R. F. D. No. 7, Muncy, Pa., learning from Mr. Hoffman that the fire occurred at midnight, Nov. 21st, and that a large number of cattle and live stock had been burned, loss being about \$4,000, and that no one had been in the barn since 8 P. M.

Evidence pointed to arson and Mr. Hoffman suspected Daniel Fague, whose ill will he had incurred on account of trouble in the rental of property and subsequent difficulties.

After the fire Fague returned to Muncy and made statements incriminating himself. Fague's twelve-year-old son, attending school at Pine Run, said that his father had burned Hoffman's farm. Warrant was issued and Fague arrested, and held for trial at Sunbury.

ROBBERIES.

January 3, 1912.—During the latter part of December, 1911, and January, 1912, numerous robberies occurred in the vicinity of

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Pottsville. Houses, barns and stables were robbed, and boat houses at Tumbling Run, located several miles from town, were broken into and property that could not be carried off was maliciously destroyed. Complaints from numerous people in this locality were received and men on patrol were instructed to pay particular attention to suspicious characters loitering in the vicinity. From the manner in which the places were entered and by marks left by the perpetrators, it was decided that two or three men were guilty of all the robberies. By careful watch of all suspects, the case narrowed down to two men, Fred and Frank Holtzer, who becoming suspicious suddenly left the vicinity.

On January 3rd, information was received that these two men had returned and Privates Markey, Campbell and Rhodes of Troop "C" were detailed to apprehend them. Late at night these men were located in a barn at Port Carbon and placed under arrest.

The following day they had a hearing before Justice of the Peace Freiler, of Pottsville, and were held without bail for court on charge of robbery, housebreaking, malicious mischief and carrying concealed deadly weapons.

Defendants were committed to jail and after a few days both pleaded guilty to all charges and were sentenced to eight years in Eastern Penitentiary.

BLACK HAND.

April 25, 1912.—The commanding officer of Troop "A" was advised by U. S. Post Office Inspector Craighead, of Pittsburgh, that an Italian banker, named Vincenzo De-

roma, of Coraopolis, had received a number of "**black hand**" letters and was so worried that he intended to pay the sums demanded. Privates Sturm and Ames of Troop "A" were detailed on the case and a trap was laid, which resulted in the arrest of Antonio Niccolo and Pasquale Christiana, who were convicted in the Federal Courts and sentenced to pay a fine of \$500 each and to serve two years in the Federal Prison at Leavenworth, Kansas.

THE AUSTIN CATASTROPHE.

Oct. 1, 1911.—By direction of Superintendent Groome, Captain Robinson, Lieutenant Marsh and **twenty-nine** enlisted men of Troop "B" were sent by special train to Austin, for duty incident to **bursting of dam** and the **flooding** of the town. September 30th. Upon their arrival at Austin, Troop "B" detail was joined by Lieutenant Mair and twenty men of Troop "C," Pottsville. Later in the week this number was augmented by the addition of ten mounted men from Troop "D," Butler, under command of Sergeant Mullen. Captain Robinson in command of detail. Upon arrival at Austin, Captain Robinson and Lieutenants Marsh and Mair were given **entire** charge of the police work.

From October 1st to 15th the State Police had **entire** charge of the **field mess**, in addition to **policing** Austin and the surrounding country, and fed daily from **600 to 1,400** men each meal, assigned by the Adjutant-General's men from the field.

Orders were issued upon arrival of the State Police at Austin that all recovered **property, bodies of victims**, etc., were to be turned over to the troopers for removal to

proper officials; property to the Austin Relief Association and bodies to the morgue established by Commissioner of Health, Dr. Dixon.

All sightseers and known suspicious characters were at once driven out of the valley. During the tour fifteen arrests were made for looting, six prisoners were released upon condition that they leave the town at once, and nine were sent to the county jail at Coudersport for trial, five of whom were convicted and four released by the court.

During this entire tour of duty, the State Police worked in reliefs night and day, guarding property, preventing looting by the 1,500 laborers, mostly foreigners, who had been employed to remove wreckage and assist in recovering bodies, feeding the workmen and flood sufferers, etc. In this disaster seventy-seven persons lost their lives. Of this number seventy-three bodies were recovered.

On October 15th, members of Troop "B" and "C" returned to their respective barracks, leaving ten members of Troop "D" on duty at Austin. Detail of Troop "D" returned to their barracks October 31st.

PROTECTING WOMEN.

Sept. 9, 1911.—Complaint was received from O. H. Leh, of Lehigh County, that his daughter and other ladies had been grossly insulted by two men at Harvey's Lake. Troopers Carroll and Stiles of Troop "B" were sent there, and after investigation arrested Benjamin Jones and Griff Thomas, who were taken before Squire Norton, Dallas, and fined \$25.00 each. Fines and costs

of prosecution were paid and defendants released.

HANDLING A FAIR CROWD.

Sept. 15, 1911.—Corporal Kenney and **three** Privates of Troop "D" performed duty at the Emporium, Cameron County Fair.

A crowd of **fifteen thousand** was handled for **four** days without any disorder or arrests.

MURDER OF A DEPUTY SHERIFF.

Feb. 17, 1911.—Privates Swartz and Ames, of Troop "A," were detailed on Dec. 5th to investigate the **murder** of Deputy Sheriff George Ridgeway, at Snyderstown on that date. After an extensive investigation and careful detective work, they secured evidence to convince them that the murder had been committed by one Tony Cich Sini, whom they finally located in La Salle, Illinois. Requisition papers were secured and Private Swartz proceeded to La Salle, arrested Sini and returned with him to Brandenville on February 17th. Sini was tried and sentenced to **six** years in the Western Penitentiary.

POLLUTING A STREAM.

June 5, 1911, Corporal Jasper Oftedahl, of the Berwick sub-station of Troop "B," accompanied Fish Warden C. R. Holland to Millville and assisted him in inspecting tannery and running of acid and sawdust into stream. Arrested Edward and Henry Gree-

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ly for throwing sawdust from mills into trout stream. Henry Greely was fined \$100 and costs.

RAPE, LARCENY AND MURDER.

Nov. 16, 1910.—About 7.00 P. M. report was received that a **murder** had been committed at Auchey's Station, Schuylkill County, about 14 miles from Pottsville. Lieutenant Mair, of Troop "C," was detailed to make an investigation of the case.

He learned that Mr. Peter Fauld's wife had been **attacked** by a farm hand named Frank Mitchell, and that her mother upon arriving at the scene tried to protect her daughter, but was immediately **killed** by a shotgun in the hands of Mitchell, who afterwards **ravished** Mrs. Fauld, stole some clothing and a revolver, \$30.00 in cash and some foreign coins. The crime was discovered about 6 P. M. A description of the suspected party was secured, and men were at once sent to cover every road and railroad leading from Aucheys. Learning that a **man** answering the description was seen **walking** the railroad towards Port Clinton, Lieut. Mair telephoned the Philadelphia & Reading agent at that place and found a man had purchased a ticket and taken a train to Reading. Lieut. Mair telegraphed to the operator at Reading and had Mitchell arrested upon his arrival by two Railroad police, but he escaped. Upon arrival at Reading Lieut. Mair and four privates searched the city, and at 5:30 A. M., **November 18th**, found him at the City Hotel, Reading.

They secured a confession of murder, rape and larceny from Mitchell and took him before Squire Martin of Pottsville. He

was tried, found guilty, and on November 25th, was sentenced to be **hanged**.

ASSAULT UPON A PRIEST.

June 29, 1910.—An **attack** having been made upon Father Paul Walsh at Suterville, by an infuriated crowd of some two hundred Italians, Sergeant Stout and **four men** of Troop "A" were detailed to Suterville, where they **rescued** Father Walsh, **quelled** the riot and made twenty arrests.

LOST IN THE MOUNTAINS.

July 3, 1910.—Private R. E. Tipton and Private J. J. Masko, of Troop "B," were sent to Maltby to search the mountains and mine holes in that vicinity for a **five year old boy**, John Hudek, who got lost in the mountains on July 2d. Succeeded in **finding** the child and returned him to his father.

CONSPIRACY AND EXTORTION.

August 14, 1908.—Private R. A. Tipton of Troop "B" arrested Alderman M. A. Sullivan of Wilkes-Barre, on the charge of "**Extortion**," Constable Patrick McDonald on the charge of "**Conspiracy and Extortion**" and James Callahan for "**Conspiracy**." Alderman Sullivan and Constable McDonald were tried, convicted and sentenced to a term of imprisonment in the Eastern Penitentiary. These arrests and convictions were most important, for although the unlawful methods of these two county officials were well known in the vicinity in which they lived, owing to strong **political influ-**

ence the local authorities had been unable to obtain convictions.

FIRE PROTECTION.

Sept. 8, 1908.—At the request of the Burgess of Dayton, Armstrong County, Sergt. Mullen and **four** Privates of Troop "D" were sent to preserve order and protect property during a serious fire that threatened to destroy the town. Order was maintained and the foreign element was prevented from looting the town.

MINE EXPLOSION.

Nov. 28, 1908.—At the request of the District Attorney, Sergeant Jacobs and **five** Privates of Troop "A" were sent to Mariana, Washington County, where there had been a serious **mine explosion** in which **154** men were killed. The detail was continuously on duty for **32** hours handling the crowds at the mines and maintaining order during the work of recovering the bodies.

LARCENY.

Jan. 11, 1909.—Privates Casner and Hollingsworth, of Troop "C," attempted to serve a warrant for **larceny** on one Jacob Schell, who lived at Annville. This man eluded the officers and entering his home secured a shotgun and two revolvers and escaped to the hills back of the town. The officers in an attempt to capture him were fired upon, and Private Hollingsworth received buckshot in his legs and face. The

Captain of Troop "C" was notified and Lieutenant Marsh and Privates Hallisey and Constantini were sent to assist Private Casner. After a pursuit of two days from town to town and across country, Schell was captured and was afterwards tried for larceny and assault and battery with intent to kill, found guilty and sentenced to seven years in the Eastern Penitentiary.

QUARANTINE.

March 18, 1909.—Privates Florentine and Lindsey, of Troop "D," were sent to Dagus Mines, Elk County, to assist the Agents of the State Department of Health in maintaining a scarlet fever quarantine among the Italian residents of that district.

ILLEGAL HUNTING.

Nov. 16, 1909, Game Warden James McDonald appealed to the detachment at Burgettstown, of Troop "A," to help in arresting unnaturalized Italians, who were hunting in the vicinity of Midland, Beaver County. They were reported as a desperate lot, and had defied the local officers, who were afraid to interfere with them. Privates Feely and Dutton secured search warrants and while executing them met with great resistance; one of the gang, Vincene Miglione, made a daring attempt to shoot Private Dutton, while he was searching one of the houses. The prompt work of Private Feely, who knocked Miglione down as he was in the act of raising the hammer of a shotgun, was all that prevented Private Dutton from being killed. Five of the gang were arrest-

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ed and three shotguns and one rifle taken from them. Miglione and Tony Miller were held for February term of court.

CHESTER RIOTS.

April 13, 1908.—Lieutenant Feuerstein and a detail of 16 mounted men of Troop "C" were sent to the city of Chester at the request of the Chief of Police to help maintain order and protect property. There was a strike of the conductors and motormen of the Chester Traction Co. and the local authorities were unable to handle the crowd or to protect property. This detail upon its arrival in Chester succeeded, with the use of its clubs, in clearing away a mob of about 1,500 men that collected in the streets surrounding the trolley car barn, but while so doing was stoned and hooted by the crowd, the local police taking sides with the mob. Being assured by the Chief of Police that the local police could handle the situation Lieutenant Feuerstein and his detail were ordered to return to their barracks. As soon as the State Police were withdrawn, rioting again started and during the 14th, 15th and 16th of April the town was practically in the hands of the mob.

On April 16th the Governor received a telegram, signed by the Mayor, the Chief of Police and the Sheriff of the county, saying "The strikers have overcome the local force in open conflict," and asking that a detail of "certainly not less than one hundred and fifty men of the State Police force be sent to Chester immediately."

Upon receipt of this telegram the Governor instructed the Superintendent to send an adequate force to Chester.

April 17th, early in the morning, a squadron of 8 officers and 135 men was formed and marched into Chester and halted at the City Hall.

At the Mayor's office a conference was held by the Mayor, Chief of Police, the Traction officials and the Superintendent and Deputy of State Police. The Mayor stated that he was unable to maintain order and ordered the Chief of Police to co-operate with the State Police and to obey all orders given him by the Superintendent.

During the six weeks the force was in Chester, law and order was maintained, notwithstanding the encouragement given to the disorderly element by the authorities and citizens of Chester. Several of the force were injured, one by a gunshot fired by a sympathizer of the strikers, and many arrests were made.

The squadron having been on constant duty for over two weeks, and having restored order in Chester, two troops were considered sufficient to maintain order, and a detail from Troop "C" was ordered to return to its barracks on April 25th, and on April 28th the detail from Troop "D" was ordered to return to its barracks.

After the departure from Chester of details from Troop "C" and "D" there was more or less rioting and destruction of property in the outlying districts, as it was impossible to patrol the entire length of the trolley system, but by May 25th the condition of affairs was such that even the local police could handle the situation, and details from Troops "A" and "B" were ordered to return to their barracks.

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If you are in favor of this movement to give New York State police protection, write to the Secretary of the Committee for a State Police, 20 Vesey Street, New York; and urge your legislators to work for the proposed law.

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The Committee for a State Police

7 East 42d Street, Annex
New York

Executive Committee

Richard Warren Barrett, Chairman

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THE TREATMENT AND
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BY
C. FLOYD HAVILAND, M.D.

PUBLISHED BY
THE PUBLIC CHARITIES ASSOCIATION
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EMPIRE BUILDING, PHILADELPHIA
1915

PUBLICATION No. 15

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DURING
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Table of Contents

	PAGE
INTRODUCTION, BY CHARLES H. FRAZIER, M.D.	4
RESOLUTION ADOPTED BY PENNSYLVANIA STATE BOARD OF CHARITIES IN 1870.	6
AUTHOR'S INTRODUCTORY STATEMENT.	7
MUNICIPAL INSTITUTIONS FOR THE INSANE.	14
SUMMARY OF MUNICIPAL INSTITUTIONS.	20
LICENSED COUNTY INSTITUTIONS FOR THE INSANE.	22
GENERAL CONSIDERATIONS OF LICENSED COUNTY INSTITUTIONS.	68
UNLICENSED ALMSHOUSES CARING FOR THE INSANE.	69
SUMMARY OF UNLICENSED ALMSHOUSES.	80
GENERAL SUMMARY.	81
Relative Merits of State and County Care.	82

Introduction

THERE are more than eighteen thousand indigent insane in Pennsylvania. Less than eleven thousand of these unfortunates are cared for in State Hospitals. Yet these State Hospitals "afford practically the only opportunity in the State of Pennsylvania for a public mental case to receive active medical treatment directed to the alleviation or cure of mental disease."

In so many of the local hospitals and almshouses the insane are accorded precisely the opposite of the remedial treatment which they should receive. Instead of care they are neglected. Instead of wholesome and varied food they receive ill prepared and unfit diet, and often very scanty at that. Instead of the full view of the sky they have the board fence, or worse, surrounding the Exercise Yard. Instead of freedom they have the hand-cuff or the strait-jacket. No class of persons, sick or well, more need regulated occupation and exercise and open air work, such as farm work and plenty of room, than the insane.

They need all that well people need to keep them well, plus the best medical care and treatment. Locked up, out of sight, neglected, forgotten, their misery cannot be told. The strongest in physical health and mental vigor would break down if subjected to the treatment which several thousand of our insane fellows in the State of Pennsylvania continue to suffer needlessly.

As long ago as 1870 the late Mr. George L. Harrison, then President of the State Board of Charities, advocated the "establishment by the State, within a reasonable time, of sufficient accommodation for the maintenance and treatment of all the insane who may not be cared for in private hospitals."

Forty-four years later Mr. Harrison's son, Mr. Charles Custis Harrison, by his generosity made it possible for The Public Charities Association of Pennsylvania to employ Dr. C. Floyd Haviland, of the Kings Park State Hospital, Kings Park, Long Island,

New York, to make a six months' study of all the institutions in Pennsylvania caring for the insane.

The following pages contain a summarized report of Dr. Haviland's survey.

This report demonstrates beyond peradventure that to-day, as in 1870, the most advanced step possible on behalf of the indigent insane in Pennsylvania is the adoption of a plan by which the State shall support and care for all its dependent insane in institutions owned and controlled by it. Anything short of this is a mere make-shift.

Is not a period of forty and more years a long enough time for discussion? If so, has not the time now come for action?

CHARLES H. FRAZIER, M.D.,
President
The Public Charities Association
of Pennsylvania.

April 9, 1915.

Resolution Adopted
by
Pennsylvania State Board of
Public Charities in 1870

HON. GEORGE L. HARRISON, President

Resolved, That the Board of Public Charities, having witnessed the evils which result from connection of insane asylums with almshouses, and believing that a wrong is done to the insane by classing them with paupers, hindering the public from estimating aright their claims to sympathy and remedial treatment, disapprove of such an alliance, and believe that the best interest of this afflicted class of people and the duty of the State concur in the establishment by the State, within a reasonable time, of sufficient accommodation for the maintenance and treatment of all the insane who may not be cared for in private hospitals.

Resolved, That, in the judgment of the Board, all superintendents of hospitals for the insane should be members of the medical profession.

THE TREATMENT AND CARE OF THE INSANE IN PENNSYLVANIA

BEING THE REPORT OF A SURVEY OF ALL THE INSTITUTIONS IN PENNSYLVANIA CARING FOR THE INSANE, MADE TO THE MEMBERS OF THE COMMITTEE ON MENTAL HYGIENE, OF THE PUBLIC CHARITIES ASSOCIATION OF PENNSYLVANIA

GENTLEMEN: In accordance with the plan outlined by you, and with the sanction of the Committee on Lunacy of the Pennsylvania State Board of Public Charities, I have completed a survey of the State, as regards the conditions attending the care of the insane and defectives, so far as they are confined in public institutions.

It is unfortunate that there is little opportunity for the public to learn about such conditions and hence public interest is apt to be limited. The importance, however, of properly dealing with the insane can scarcely be overestimated. The modern conception of mental disease, as a condition resulting in defective social adjustment, renders it easier to understand the intimate relationship existing between abnormal mental states and such social evils as vagrancy, intemperance, immorality, crime, etc. Such relationship is now indisputable, and it reveals the necessity of adequately dealing with the problem of the insane, not as an academic question but as a practical issue involving numerous social ills directly and indirectly dependent upon mental disorders. To successfully combat such ills mental disease itself must be first successfully combated. It is far more than a question of mere custodial care for the insane; what is needed is that every known means be provided for the treatment and especially for the prevention of insanity.

Mental disease not only vitally affects society as a whole but either directly or indirectly it affects every individual member of

the community. The proper care and treatment of even the dependent insane should, therefore, be regarded as a community investment, a matter of self-preservation rather than as a charity. The monetary cost of the social evils which depend in a large measure upon mental disease is far greater than the cost of adequately treating insanity and thus to a great extent removing one of the fundamental causes of such evils. In so far as insane patients fail of recovery, through a lack of proper care and treatment, just so far does such lack mean unnecessary economic loss. Charity implies giving without thought of return, but proper facilities for the insane imply large returns not only in human happiness but in economic advantage and, therefore, an insane patient receiving treatment in a public institution should be considered no more a recipient of charity than is the farmer hauling his produce to market over a State road. In each instance the individual receives a direct benefit from a public utility, but society's gain is no less real because indirect. Proper treatment of the insane is merely a form of social insurance.

No system of care for the insane can be permanently successful without a sustaining public opinion, and no method of moulding public opinion is equal to the presentation of facts; hence in making the survey every effort was made to insure such a statement as would bear internal evidence of an impartial, unprejudiced attitude in collecting data and of the truth of every fact stated. If any change in existing conditions is needed facts alone should be used to determine the direction of such change.

With the kindly assistance of Mr. Bromley Wharton, General Agent and Secretary of the State Board of Public Charities, and Dr. Frank Woodbury, Secretary of the Committee on Lunacy, of such Board, a list was prepared of all public institutions in the State known to care for the insane, classifying them as to type; it was thus shown there are 8 State hospitals, 19 County, or Poor District, hospitals, and 4 Municipal hospitals, while in 11 almshouses insane persons are kept for a greater or lesser period, 3 of the almshouses maintaining distinct insane departments, although unlicensed to do so. With such widely varying types of institutions a brief sketch of the manner in which the care of the insane has developed in Pennsylvania may serve to render more intelligible the present situation.

Originally the insane who had become dependent, by reason of

their infirmity or otherwise, were cared for by poor districts in the almshouses, together with all other dependent persons, sick or well, thus following the early English custom. The conception of insanity as a sickness had not then become prevalent and it was not until the notable memorial was presented to the State Assembly in 1845, by Dorothea Dix, that the community awoke to a realization of the need for a change. Then it was that the State first took official action regarding the insane, who were described, in the memorial mentioned, as being housed in buildings unfit for human habitation and receiving not only no medical attention but only custodial care of the crudest sort. In an effort to correct conditions laws were passed in 1845 and in 1848, providing for the first State institution for the "Care of the Insane of this Commonwealth," which was then known as the Pennsylvania State Lunatic Asylum, at Harrisburg. The counties were granted the right to send a proportionate number of their insane to it, remaining responsible, however, for such patients' maintenance,—the State providing only the material plant. After some years, a single institution proved inadequate, and there followed the establishment, in 1853, of the semi-public institution known as Dixmont, located near Pittsburgh. Within a few years such provisions were found insufficient and there was established a State institution for the insane, in 1868, at Danville, but, even with such added accommodations, a large number of the insane still remained in almshouses, and we find in the annual report of the State Board of Public Charities for 1870 reference to the matter as follows:

"More especially do we wish to denounce the cruel wrongs which the insane suffer who are inmates of almshouses; these institutions are generally wholly unsuited for their care or even detention, or, if suitable, are presided over by persons who are entirely ignorant of the needs of this class of the sick or infirm, and whose administration is based on the crudest ideas of mental diseases. * * * No hospital for the insane should remain without the constant supervision of a medical superintendent. The stewards of almshouses are never selected from any consideration of the needs of the insane."

Accompanying the report above quoted was a copy of the resolutions which follow the title-page of this report.

In 1871, the General Agent of the Board of Public Charities reported, with regard to the insane in almshouses, as follows:

"Indeed, without a total revolution of the system, it is impossible to greatly improve it. There may be great faults in the management of these poorhouses, some of which might be remedied, and others are probably incapable of remedy, but the great cause, the fundamental cause of the evil, is the system itself. If the administration was made as perfect as human infirmities allow, if the best superintendents or wardens, and the most faithful attendants were secured, while the evil might be mitigated, it would remain substantially the same until the system itself is changed. The remedy is not reform, but revolution."

Again, the following year, in 1872, Hon. George L. Harrison, President of the Board of Public Charities, reported to the Assembly, in reference to the same subject, as follows:

"For, at the best, they are merely confined in places of detention, under the guardianship of a respectable overseer, who is wholly ignorant of their disease and of the means necessary for its alleviation or its cure. We say at the best: we hesitate to describe the reverse of the picture; it would exhibit a scene of as cheerless and un comforted misery as the most bitter misanthrope could desire to look upon. * * * The victims in this case are a class of defenseless invalids, whose circumstances appeal with a special urgency to every sense of humanity and justice.

* * * Houses of detention, simply as such, misrepresent the real demand of an enlightened public mind in relation to all classes of unfortunates,—they ignore the principle of the dignity of the human person, which should govern the consideration of these classes. This discrimination is lost where the thought prevails that the chief good to be obtained is to restrain—to save the public in some sort from inconvenience, or damage, or depredation. This should surely be looked after and secured, but its complete attainment may be better accomplished by considering at the same time the duty of humanity in the care and custody of every class of defectives. There are noble examples and exponents of this theory in this age, in all parts of the civilized world, and nowhere more devoted to its realization than in our own country, and in our own State, and we believe that a very large number of the insane in this Commonwealth are not only skillfully but tenderly treated. But this is not so in many of the county poorhouses; they have neither the accommodations nor the medical care which are suited to their wants. * * * There is nothing more true than that the State or county must pay for the support of the sufferers during life, unless suitable provision

for care and treatment induce timely restoration. It is therefore no more than the common wisdom that is applied to the ordinary business of life to take such measures as will give them the best opportunity of restoration that the age affords."

It is remarkable that the enlightened words above quoted should have been written over forty years ago, when, as this report will show, they are as applicable to-day, so far as almshouse care of the insane is concerned, as they were when written.

Largely due to the wisdom and effort of the State Board of Public Charities, the situation was still further relieved when there was established another State institution for insane at Warren, in 1873, and still later there was established the State Hospital at Norristown, in 1876.

But the number of the insane always exceeded the accommodations provided, and when, in 1883, a law was passed whereby the State took half the burden of maintenance and made mandatory the removal of all insane to the State hospitals, overcrowding resulted from the first. With the passing years, it finally became a physical impossibility to house all the insane in the State hospitals and, in an effort to improve conditions, the County Care Act of 1897 was passed, providing for county care. However, the State agreed, under certain conditions, to pay \$1.75 per capita, per week, for each patient cared for in a county institution. The conditions were rigorous requirements as to accommodations provided and treatment given, it evidently being feared that the counties would not provide the same standard of care as obtained in the State hospitals, and, as a matter of fact, the counties found it impossible to satisfy all such requirements, so the law was amended, rendering the requirements less exacting. To further assist the counties, in 1899, the State increased the weekly per capita allowance from \$1.75 to \$2.00. Thus it is seen that, while the State has never assumed the full burden of maintenance of the insane, it has for many years aided the counties in providing for them, so that what now exists is a combined county and State system,—the counties paying a part of the maintenance of their patients in the State hospitals, and the State paying a per capita allowance for all patients in the county and Poor District institutions. In each case the difference between the amount paid and total cost of maintenance is made up by the political unit maintaining the institution, although, in the case of the State institu-

tions, such difference must not exceed \$2.25 weekly per capita, the State maintenance appropriation for these institutions being based on such a fixed allowance. Such a rate contrasted with the \$2.00 weekly per capita allowance to county and Poor District institutions appears to imply a recognition by the State of a higher standard of care in the State hospitals.

The existing system has now been in operation for a sufficient length of time to warrant conclusions being drawn as to its efficiency as determined by actual results, and it is to such end that this inquiry has been directed.

Aside from visits to the 31 public institutions for the insane, and to the 11 almshouses, with insane inmates, visits were also made to three large private insane hospitals, and to three State institutions for defectives, but this report will be confined to a statement of conditions found in the 19 county and Poor District hospitals, 4 municipal hospitals, and the 11 almshouses mentioned, the other institutions being considered in supplementary reports I will submit to your committee. However, for the purpose of comparison with other types of institutions, a few general statements will be made regarding the State hospitals.

It was found that the combined census of the eight State hospitals in Pennsylvania, with an official capacity of 9,457 beds, is 10,474, but 434 patients were found on parole from the hospitals, and the actual excess of patients over capacity would therefore be 583. This indicates but a moderate degree of overcrowding—but there are but few instances, either in State hospitals or other institutions for the insane, of capacities having been fixed in other than an arbitrary manner, depending upon the exigencies of the situation. Hence in some hospitals there is actual overcrowding which is not indicated by the official figures.

The State hospitals embrace the best public institutions for the care of the insane in the State, although facilities and standards of care vary within rather wide limits. However, as will be later shown, they afford practically the only opportunity in the State of Pennsylvania for a public mental case to receive active medical treatment directed to the alleviation or cure of mental disease.

In all the State hospitals physical conditions are fairly satisfactory, and in some instances especially so. With numerous buildings it is possible to classify patients, buildings with special

facilities for special classes being found in most of these institutions. There are infirmary buildings with modern surgical operating rooms, buildings for the tuberculous, reception buildings for new acute cases, convalescent buildings, buildings for the disturbed, and special buildings for hydrotherapeutic and electrotherapeutic treatment, all of which are of importance in successfully treating the insane.

In the main, general hygienic conditions are excellent, especially as regards the provision of modern sewage disposal plants. Proper attention is generally given to fire protection, and for the most part good service facilities are provided.

It is, however, in the actual care and treatment of patients that these institutions excel. With but few exceptions food and clothing are above criticism, while special attention is given to exercise, recreation and occupation. In most of these hospitals occupation is under medical direction and, being regarded only as a therapeutic agent, the need of the patient is paramount to the need of the work. In several hospitals special occupational training is given for the correction of faulty habits, and intensive personal effort is made to awaken dormant interests.

Most of the hospitals maintain nurses' training schools, and in one over 50 per cent. of the ward employees are graduate nurses. As a result of the substitution of nursing care for custodial care, restraint and seclusion have been greatly reduced, and in one hospital entirely abolished; in another hospital restraint has been reduced 50 per cent. during the past year, and in still another 25 per cent. during a recent period.

In some of the hospitals the medical work is especially commendable. Clinical and pathological laboratories are provided, and that the latter have a distinct practical value is shown at one State hospital, where formerly typhoid fever was rife every year; however, it no longer occurs since general immunization by anti-typhoid vaccine has been adopted, the vaccine being prepared in the hospital laboratory.

In discussing the institutions, of which this report treats in detail, it will, unfortunately, be necessary to criticize more freely to accurately indicate the conditions found to exist. But that no local authority may have ground for just complaint, that the comments made are unjustly discriminatory, institutions will be mentioned by number only. Unfortunately, however, those

familiar with certain institutions will doubtless be able to identify them, owing to the necessity of discussing conditions peculiar to them alone, but as such discussion is necessary to a proper understanding of general conditions, the possibility of recognition of identity of such institutions appears unavoidable.

Features worthy of commendation have been noted, as well as those deserving of condemnation, that a true balance may be reached, and from the facts given only such deductions are drawn as are justified by actual conditions.

As it was found impossible to obtain accurate statistics for all institutions for the same year, or the same date, owing to the different hospital years in vogue, and also owing to defective records, all statistical data has been taken for the last hospital year available, while, as also representing more accurately present conditions, all census data has been taken as of date of visit to the respective institutions. Throughout the report statistics will indicate census as the total number on the institution records, but the number home on parole will also be indicated, so the actual number in residence is the difference between such figures.

INSTITUTIONS FOR THE INSANE MAINTAINED BY MUNICIPALITIES, NOS. 7-10

General Statistics.—

<i>Institution No.</i>	<i>Capacity</i>	<i>Census</i>	<i>On Parole</i>
7.....	1200	1804	24
8.....	555	475	..
9.....	650	724	18
10.....	300	324	15
Total.....	<u>2705</u>	<u>3327</u>	<u>57</u>

While, for the purpose of this report, No. 8 is regarded as a separate institution, it is a branch of No. 7, but located at a distance from the main institution.

INSTITUTION NO. 7

Physical Conditions.—The ancient, monastarial structures in which this hospital is housed are impossible. They form part of a general plant, housing also an almshouse and a general hospital. Light and air are deficient, and in some wards the day space is so limited that benches are placed in rows across the room to pro-

vide sufficient seating accommodations. The basement bathrooms are poorly lighted and ventilated. The old, unsanitary and insufficient toilet facilities are now being replaced. The service departments are all cramped for space. The fire protection could be improved, several iron fire-escapes having wooden platforms. Some of the stone stairways are enclosed in wooden towers and others lead to the cellar only.

Overcrowding is of a serious degree. In some places beds actually touch. One ward is so completely filled with beds that but a narrow space remains between them and the four side walls for day space. In view of existing conditions, it is difficult to understand how this hospital could have cared for several hundred more patients, as is said to have been the case some years ago. To accentuate the poor housing conditions, there is but limited space for outdoor exercise and there are but limited facilities for occupation. On occasion of visit but 28 per cent. of the patients were occupied for even part of the time.

Despite these adverse conditions, the housekeeping is excellent and commendable evidence of initiative was seen in the use of sanitary bubbling drinking fountains, built by hospital labor from old pipes.

Administration.—The medical work appears fairly efficient and the use of a social worker as an “after-care” agent is praiseworthy. There is a large number of patients (an average of 77) either restrained or secluded, as a result of an undue proportion of disturbed patients and too small a proportion of attendants. The number of attendants on duty on day of visit gave a proportion of but one attendant to 15 patients, a proportion too small, especially in view of existing material conditions. The small number of attendants may partly account for an apparent failure to use hydrotherapeutic facilities to capacity, especially the continuous baths.

That the large proportion of disturbed patients is directly due to the faulty conditions appears evident in view of the result following a transfer of patients to one of the State hospitals (No. 17). By special arrangement a large number of disturbed and destructive patients were included, yet, with improved housing conditions and much outdoor exercise, the majority became quiet within a few months and not a few became industrious.

The adverse conditions must also be held accountable, in a

measure at least, for the abnormally high death rate of 9.9 per cent. based on the total number of patients treated, and the abnormally low recovery rate of 7.3 per cent. based on the number of persons admitted.

The business methods here in vogue are defective; too small a stock of supplies is carried ahead, with the result, for example, that some months ago it was necessary to accept shoes said to be worth at least a dollar less than the sample shoes on which the contract had been awarded. The situation was such that either the patients had to go without shoes or the delivery had to be accepted, and the latter course was followed.

A non-medical superintendent is in charge of this hospital.

All the patients admitted pass through a psychopathic ward, which at the time of visit was most crude and without facilities, but changes have since been effected, improving the situation.

INSTITUTION No. 8

Physical Conditions.—This is in a rural locality and somewhat difficult of access. The patients' quarters are for the most part in converted farmhouses, which, in the absence of equipment, furnish rather crude accommodations, but permit a large measure of freedom, with excellent opportunity for exercise and occupation, as is shown by the fact that 48 per cent. of the population are regularly employed, the majority of the remainder being tubercular and aged, decrepit patients. The chief defects are the crude service accommodations, an insufficient water supply, great fire risk, and an unsanitary method of sewage disposal, cesspools being used which are too close to the buildings, one being not far from the dairy barn. Water mains and sewer mains are being laid, however, and if properly completed, will no doubt provide an adequate water supply and a sanitary system of sewage disposal.

Administration.—Except for strictly medical matters, the head farmer is in charge, reporting directly to the lay superintendent at the mother institution, No. 7. There is evidence that more or less friction exists between the medical and farm service. The method of handling supplies does not appear to sufficiently safeguard the interests of the institution, for, while cost records are kept, unit records of articles are not.

INSTITUTION No. 9

Physical Conditions.—This institution forms one unit of a plant composed also of a general hospital, almshouse, and tubercular colony. The buildings are, in the main, satisfactory. However, in the older buildings a number of archaic features are to be noted. Several rooms are equipped with concrete floors, with center drains, similar to a stable. They are also provided with double, heavy, solid doors, thus providing for seclusion. For the most part, the wards are bare, lack furniture, and are desolate in appearance. Insufficient heat is provided, and last year it is said to have been necessary for patients and attendants to wear overcoats and shawls indoors. The exercise yards are objectionable, being enclosed with high, whitewashed, board fences, so closely fitted as to shut off any outside view. The grass has been worn off, and during the absence of the women from their yard, eighteen large rats were counted running about in it.

Administration.—The patients have access to running hot water, although no hot water safety devices are provided; as a result a woman patient was so severely scalded a year ago that she died following the burns. However, despite the subsequent recommendation of the State Committee on Lunacy that a safety device be installed, no action has ever been taken. On occasion of visit, there were 23 patients either restrained or secluded, 12 of whom are constantly restrained. Even such a large number is much less than a few years ago. In 1911, with a smaller census than at present, the average number of patients restrained and secluded is given as from 40 to 50. There are but 20 per cent. of the patients regularly occupied, despite the fact that there is a large farm and plenty of opportunity. However, the policy heretofore has been to use the labor of the pauper inmates of the adjoining almshouse before endeavoring to provide occupation for the insane. There has been a great lack of personal care and attention, as must necessarily be the case with the unusually low proportion of attendants. On day of visit there was but one attendant to 23 patients for day duty and one to 90 for night duty. The medical work has heretofore been on a low plane of efficiency, as could scarcely be otherwise, when during the past year, except for a few weeks, but two physicians were provided to care for from 1200 to 1400 patients, the physicians attached to this institution being obliged to care not only for the

insane, but also for over 50 tuberculous patients, over 200 general hospital patients, and nearly 300 almshouse inmates, all housed in adjoining buildings.

The future of this institution promises better things. A new medical superintendent has recently been appointed, replacing a non-medical superintendent. The new appointee fully appreciates existing needs and has already instituted improvements, while he plans many more. The dietary has been improved and a departure has been made from the routine bread, molasses and tea diet for breakfast and supper, formerly provided. Already provision has been made for proper reception wards for new patients, heretofore lacking, while hydrotherapy is to be installed, the work of reëducational occupation is to be inaugurated, and the lack of recreation to be supplied. The number of medical men has been increased; a laboratory is to be started, and, in general, it may be confidently expected that this institution will enter upon a new era. It may likewise be expected that as a result of active curative treatment for insanity there will be a fair percentage of recoveries, instead of no recoveries at all, as has been the case since 1907. The latter condition has obtained, despite the fact that during the past hospital year alone there were 66 cases admitted suffering from such recoverable psychoses as would under proper treatment yield a recovery rate of from 85 to 90 per cent. It is therefore to be most earnestly hoped that the new medical spirit now in evidence may receive every possible support.

INSTITUTION NO. 10

Physical Conditions.—The buildings are good, but are located adjacent to a County Workhouse, the latter being but about 100 yards from the building for insane women, and just across a roadway from their exercise yard. The two buildings for opposite sexes are separated by an almshouse, in which are the administrative offices of the hospital. The exercise yards are enclosed with a high board fence, thus emphasizing the idea of restraint, so pernicious in its effects upon insane patients.

Administration.—The executive head is a non-medical man and the usual objections apply with even more than usual force, owing to the superintendent's lack of familiarity with the details of the hospital, evidenced by supplying considerable information later

found to be erroneous. The housekeeping of the wards is excellent, but, aside from the farm and the engineer's department, all the service departments were found in very poor order. There are no formal amusements for the patients, and even those patients fortunate enough not to be restrained lead a drab, colorless existence, but the amount of restraint used appears unwarranted. On the day of the visit there were thirty-one patients, or 10 per cent. of the total hospital population, either restrained or secluded, while eighteen patients, or 5.8 per cent., are constantly restrained or secluded. In making rounds most of such patients were found absolutely quiet, two only being moderately restless. It was said that in most cases such treatment was used because the patients had previously been disturbed. It cannot be without significance that the lay superintendent occasionally orders both restraint and seclusion, without consultation with the physician. The amount of restraint, however, appears in a measure due to the limited proportion of attendants, there being on duty, on the day of the visit, but one attendant to fifteen patients for day duty. Such lack was also given as the reason for the limited amount of outdoor exercise, patients never being out longer than two hours in any one day, even in good weather.

While, in the main, the separation of the sexes is good, there is some opportunity for improper mingling of sexes, as was shown when two working patients, a man and a woman, were found eating together in a room off the kitchen, without an attendant present.

The food service is poor and the dietary is stereotyped. All kinds of food are heaped on a single plate for each patient. For the meal inspected, after soup had been placed in deep plates, a piece of meat and sliced green cucumbers were added, and it was noticeable that as soon as the patients were seated a piece of bread was used as an auxiliary plate.

The institution lacks any hydrotherapeutic equipment or provisions for special medical treatment, and there is no treatment of insanity as such. The result is seen in the remarkably low recovery rate of 2.8 per cent., based on admissions. During the last hospital year, thirty-one cases were received suffering from a certain recoverable form of mental disease, which, under proper treatment, would have yielded a recovery rate of 85 to 90 per cent., but among the cases discharged as recovered from this

institution there was but a single patient discharged recovered who had suffered from such type of mental trouble. Tubercular patients mingle with the others until they become bedfast, when they are cared for in the neighboring almshouse, which alone has facilities for isolation. There were several insane patients residing in the almshouse on the occasion of the visit, including not only tubercular cases, but a surgical case, the almshouse alone possessing facilities for the treatment of surgical conditions. The clinical records are poor, but the medical force is too small to perform properly the medical work in this institution, with 324 insane patients, and also in the almshouse, with 201 inmates, as is required, there being but two physicians.

One of the deplorable features of this institution is that there is reason to believe that political influences have heretofore operated in the selection of employees, and the resulting inefficiency of attendants thus selected is shown in the following instances: One attendant caring for a sick patient reported a temperature of 1000 degrees; another, when told to get a bottle of ammonium chloride tablets brought bichloride of mercury tablets instead, believing all chlorides were the same. The superintendent himself admitted it was sometimes possible to find attendants on duty partially intoxicated, but said it was no use to dismiss them, as it would only mean replacing them with others of the same caliber. During visit a death was reported to the office, but a few minutes later it was reported to be a false alarm. It appeared that an attendant had been deceived when, in cleaning the bed of a sick patient, he had laid the patient on the cold concrete floor, whereupon the shock of such treatment caused collapse. As a matter of fact, however, the patient was actually in a dying condition and expired later the same afternoon.

This institution is to be moved to and consolidated with No. 9 as soon as new buildings have been there erected, a change which must necessarily result for the patients' good.

SUMMARY OF INSTITUTIONS MAINTAINED BY MUNICIPALITIES

Institution No. 7 is so unsuited architecturally for the care and treatment of insane patients that its use should be abandoned at the earliest possible moment. The great overcrowding here

existing only emphasizes structural defects. The abnormally high death rate must, in part at least, be caused by structural conditions, as the medical work appears fairly efficient.

Institution No. 8, a branch of No. 7, provides the great boon of outdoor exercise and occupation lacking in the latter. Methods of transportation are not yet adequate, the accommodations are crude, the water supply is deficient, and the sewage disposal is unsanitary, although the two defects last mentioned will apparently be remedied by the completion of plans now under way. The fire risk is considerable. The defects and disadvantages indicated are all remediable, however, and there would seem to be marked possibilities for this institution under State rather than municipal control.

Institution No. 9 has heretofore provided only the most crude custodial care. The fact that no patients have been discharged as recovered for 7 years tells the whole tale; however, a new administration has been inaugurated, and there is reason for believing that not only will the material condition of patients be improved, but that in the future they will receive active medical treatment directed to the alleviation of their mental ills, something never before provided in this institution.

Institution No. 10 is poorly located, being in association not only with an almshouse but with a County Workhouse. While the buildings are good, there are no facilities for the medical treatment of insanity and even in the treatment of physical ills the baneful practice has arisen of treating surgical and advanced tubercular cases in the almshouse, where no distinction is made between them and the paupers. Under the circumstances, it appears fortunate that this hospital is to be consolidated with No. 9.

General Considerations.—In reviewing the conditions found in this group of institutions it would appear that none have been properly performing their function as institutions for the treatment and possible cure of insanity. Political and secular interests have apparently submerged the medical spirit, and as a result it is certain that many unfortunate insane persons have failed of recovery through lack of proper medical facilities and treatment. The conviction appears irresistible that whatever may have been past policies the welfare of the community would be best served by removing these hospitals from municipal control.

LICENSED COUNTY INSTITUTIONS FOR INSANE. NOS. 19-37

General Statistics.—

<i>Institution number</i>	<i>Capacity</i>	<i>Census</i>	<i>On parole</i>
19.....	42	43	2
20.....	800	886	93
21.....	203	286	24
22.....	None for insane	8	0
23.....	305	294	6
24.....	107	89	9
25.....	50	26	0
26.....	25	29	1
27.....	48	44	2
28.....	50	46	0
29.....	64	69	0
30.....	530	517	9
31.....	300	364	42
32.....	600	621	17
33.....	132	114	1
34.....	40	39	0
35.....	500	481	25
36.....	229	240	9
37.....	96	107	5
Total.....	4121	4303	245

INSTITUTION NO. 19

Physical Conditions.—Building for insane at rear of almshouse, with earth yard in front. It is in good repair. The halls, however, are too narrow. There is no regular dining-room, a short hall serving this purpose, in which both sexes eat at the same table. The “cells” for seclusion have concrete floors and are double-doored, the inner door being iron-barred and the outside one of heavy wood. One of these outside doors has been removed, leaving only the iron-barred door in sight and thus emphasizing the prison effect. Electric lights are used, but wiring is attached to surface of walls in such a way as to be accessible to patients. Wards are bare and without sufficient seating facilities, so that when all patients are indoors it is necessary to use backless benches from the dining-room. Much trouble is said to have been experienced from patients sitting on the flat tops of screened radiators, and local authorities have recommended that a sloping top be substituted, but additional seating facilities do not appear to have been suggested.

There are but two wards for each sex, so that little classification of patients is possible. Fire protection is insufficient.

Sewage flows untreated into an open ditch about 150 yards from the main building; when seen this ditch was absolutely stagnant. Piggery is within 200 yards of building for insane, and not overclean.

Small exercise yard for each sex is enclosed by high, white-washed board fence, partly surmounted by barbed wire, the gate to each yard being fastened with a padlock.

In many respects almshouse building is superior to that for insane.

Administration.—Women live on second floor, but stair doors are left unlocked and separation of sexes is poor. Women patients were found doing housework in the male wards, without any attendant, although male patients were present. There is but a single married couple for day duty and another such couple for night duty. Patients are left alone much of the time. Those in the exercise yards when once locked in are left unattended. In one of these yards five concentric rings have been beaten in the earth about a tree by the ceaseless pacing of patients.

Dining-room service is crude. Food is brought in tin buckets from the almshouse. In good weather some of patients eat on the ground in the exercise yards. Most of dishes are of agate ware. Food is sufficient in amount but of limited variety. Bread, molasses, and tea or coffee are the staples for both morning and evening meals, the dietary being the same as for the almshouse.

The men's clothing is of overall material, suits being made in almshouse and little attention paid to fit. A number of patients were barefooted, and from appearance of feet, had been so for many weeks. There are no recreations provided, and but three or four patients attend the occasional religious services conducted by volunteers in the almshouse.

The visiting physician calls once a week, but only physical ills receive attention. The physician refuses to pull teeth, and after hearing a woman patient weep all night with the toothache, the "keeper" for the first time in his life pulled a tooth. He has since pulled two more. "Keeper" was formerly a farmer; he uses his own judgment in the matter of restraint and seclusion. In his opinion, two days in a strait-jacket is enough "to make them come down." Seclusion, however, is sometimes used from six to eight weeks, or even longer.

A woman patient has an open, undressed cancer, and another woman patient has recurring ulcerations of the nose, apparently of luetic origin. Neither these patients nor the single tubercular patient here are isolated, but mingle freely with the others.

A particularly reprehensible practice in this community is the custom of committing insane patients to the State Hospital only if they belong to one of the "better families" or if they are particularly disturbed or troublesome.

The neighboring almshouse is crowded every winter, and the present building for the insane could be used to advantage for the paupers were the insane removed, as they should be.

INSTITUTION NO. 20

Physical Conditions.—The buildings are excellent, thoroughly fire-proof, and the grounds ample. While some wards are bare, others have decorative features. Sanitary bubbling drinking-fountains are a commendable provision. The numerous wards offer a good opportunity for classification. In general, service departments are good, but the laundry is too small and some of the departments are poorly located in basements. Farm buildings are excellent. Sewage flows untreated into a neighboring creek. Fire protection could be improved, too much reliance being placed on exterior fire-proof construction. For instance, a third-floor dormitory with about 100 patients has but a single exit to a stairway, although outside is an iron fire-escape which is inaccessible, as the oval window leading to it is guarded by permanently fastened iron bars.

All exercise yards are enclosed, one with a high, whitewashed board fence surmounted by barbed wire, while another is a court covered with stone flagging and enclosed by an iron fence surmounted by barbed wire.

The buildings of the neighboring almshouse are especially good and well adapted for the care of the insane, one building being so used. Were the almshouse and insane hospital consolidated there would no longer exist the necessity for two laundries, two direct refrigeration plants, two store rooms, two drug rooms, two power plants, two carpenter shops, two paint shops, and two plumbers' shops.

Administration.—A fair grade of custodial care is here given, but the non-medical character of the institution is shown in its

annual report, the only medical feature of which is a table showing causes of death. Physical ills receive proper treatment, but there are no facilities nor treatment for insanity as such.

Owing to overcrowding and the comparatively small proportion of attendants, restraint is much used, the overcrowding being especially apparent in the disturbed wards. A particularly objectionable form of restraint is a long-sleeved coat, by means of which patients' arms are tied behind their back.

Tubercular cases are scattered throughout the various wards, although it is proper to add that new construction now going on will provide excellent facilities for the isolation of tubercular patients.

With material facilities in general of an unusually good grade, the whole plant could be utilized to the greatest advantage as an institution solely for the insane.

INSTITUTION NO. 21

Physical Conditions.—A fairly satisfactory fire-proof building is provided, many defects of which could be overcome by the expenditure of small amounts of money. Hospital is overcrowded, and as a direct result there is insufficient day space. Fly-screens throughout constitute an excellent feature. Women's wards have some decorative features, but men's wards are bare and have but few chairs, backless benches being substituted. The outside entrances have iron-barred doors outside of wooden ones, so when the latter are left open for ventilation an unpleasant prison-like effect is produced. There are a few unprotected radiators on the floor, but most are placed on the walls out of reach.

There is a great lack of space for service departments, most of them being crowded into small basement rooms. Another serious lack is the want of land, the hospital having but a small plot set apart for its use out of the entire county property, the remainder being devoted to the use of the neighboring almshouse.

Sewage flows untreated into a river about a half mile distant. There is a serious lack in the want of sufficient water supply. During the past summer water pressure has been insufficient to fill the service lines on the second floor, so water has had to be carried upstairs by hand in pails for all purposes. Despite the increased fire risk, authorities are said to have made no effort to

remedy conditions although it would appear easily possible to do so, and although the superintendent of the hospital has repeatedly urged it. There is already a well on the property giving an abundant flow of good water, but, owing to a failure to provide a sufficiently powerful pump, little relief is thus obtained.

The neighboring almshouse is in fair condition, and at an expenditure of from five to six thousand dollars could be rendered available for the care of the insane. The condition here presents a striking contrast to that of the insane hospital, for instead of being greatly overcrowded, as is the latter, less than half its capacity is now utilized.

Administration.—With but two wards for each sex, little classification is possible. There is an unusually good dietary. As result of overcrowding and an insufficient number of attendants, restraint and seclusion are frequently used. Despite efforts of the medical superintendent, it has been impossible to secure hydrotherapeutic apparatus or any special medical equipment. There are but two tubercular cases, who are allowed, however, to mingle with the other patients.

An excellent feature of this institution is the degree to which occupation for patients has been developed under adverse conditions. Those who work on the farm do so under the direction of the almshouse steward, so that the hospital superintendent has to exercise care as to the patients sent out for such work, having no knowledge of what tasks they will have to do. The superintendent is probably correct in believing that more patients could be allowed the benefit of farm work if he had the authority to regulate tasks to their varying capacities. It is unfortunate that so many of the patients working in the service departments are obliged to work in the basement where light and air are deficient.

Unusually close accounts are kept. The hospital is obliged to pay the almshouse for bread, milk and pork, although it receives no compensation in return for the labor of patients and attendants. A large number of reimbursing patients makes this institution self-supporting, aside from State aid.

Although the superintendent is a physician, he has no medical assistants, and but little help in business matters, so it would appear impossible for him to give as much attention to medical matters as would seem desirable.

The material conditions of the plant, as a whole, including almshouse, are such that it could be rendered available for the care of the insane at comparatively small expense, as most defects noted are removable ones.

INSTITUTION NO. 22

Physical Conditions.—The insane are kept in the almshouse proper, separate corridors being reserved for them, although in practice they freely mingle with the paupers and with a considerable number of defectives; the only discernible difference in treatment is that they are allowed less freedom. Rooms for the insane have iron bars over windows, while the doors are heavy wood with iron braces; in the center of each door is an aperture covered by an iron grating, with a wooden slide for a peek hole, while lower down in the door is an open aperture through which food is introduced when an excited patient is secluded. Doors are fastened with heavy padlocks.

Although exercise yards are enclosed, they are unusually pleasant for such type of yards. A philanthropic neighbor has built an excellent small chapel divided for Protestant and Catholic services. There is an excellent farm with good farm buildings.

Fire risk appears especially great. The illumination is by open flame, gasoline gas-jets. Water pressure is sufficient only, to carry water to the second floor. Buildings are old, and it appears doubtful whether inmates on the third and fourth floors could escape in case of fire, despite the fact that there are a few fire-escapes provided.

Administration.—Separation of sexes is poor; they occupy different floors, but the stairs are open during the day. But limited paid help is provided, and in practice the paupers do considerable of the work in caring for the insane.

A humane atmosphere exists in this institution, and restraint and seclusion are little used; however, both may be used at the discretion of the woman nurse or the almshouse steward, and shortly prior to visit a male patient was said to have been secluded for a week. There is, of course, no medical treatment for insanity as such, and even provision for the treatment of physical ills is limited, the visiting physician making regular visits once a week only.

The donor of the chapel above mentioned had engaged an in-

structor in raffia and reed basketry, who was found teaching such craft to a number of the pauper inmates and to one insane patient, but in general the insane are little occupied.

INSTITUTION NO. 23

Physical Conditions.—The building provided is excellent; it is fire-proof and well arranged. There is also an excellent farm, but it is conducted by the steward of the neighboring almshouse. This almshouse building, while old, is remarkably well preserved. Institution has a good modern sewage disposal plant. Fire protection is fair, but hose is not tested, matters of this kind being in charge of the almshouse steward. The hospital superintendent is said to have repeatedly requested such tests.

Hospital lacks space for service departments, most of them being located in the basement. There is an excellent detached building provided as a home for women attendants. This institution is notable in that although it is a county institution it possesses no enclosed exercise yard.

Administration.—The hospital superintendent is a physician, and all business matters are under the direction of the almshouse steward, who has authority to revise superintendent's requests for supplies.

There is no laboratory, hydrotherapeutic equipment, nor medical treatment, except that directed to the alleviation of physical ills only.

Except in the severest winter weather heat is said to be shut off from 9.00 P. M. to 5.00 A. M.; it was admitted that patients often complain of the cold, when they are supplied with extra blankets. Patients are for the most part locked in their rooms at night. Several were also found locked in their rooms during the day. A tubercular girl was found locked in her room on the second floor with no attendant on the floor. Patient was weak, confined to bed, and there appeared no apparent justification for her seclusion, unless it was to prevent her from wandering about the ward, although in her weak condition she showed no such tendency; moreover, two ambulatory tubercular cases mingle with the other patients without restriction. An elderly woman, moaning and protesting loudly, was found secluded; when her room was entered and she was addressed, she became somewhat quieter and there appeared no doubt that could she

have received adequate personal attention her agitated depression would have been much lessened. Another secluded woman was said to have been homicidal; but when addressed, she explained, with a smile, that sometimes the voices called her such bad names she could not help but get angry, although she did not mean harm to anybody. Two women were found locked in a bathroom, but for what reason did not appear, as both were quiet. Both restraint and seclusion are ordered by the matron, who then reports to the superintendent.

Recreation is given some attention in this institution, and in many respects the custodial care provided is of a fair type.

Material conditions both at the insane hospital and the almshouse are such that the whole plant could be well devoted to the exclusive care of the insane. It would then be possible to provide some degree of classification, and the present lack of the hospital as to space for service departments would be supplied.

INSTITUTION NO. 24

Physical Conditions.—Building for the insane is at the rear of the almshouse, with a shed containing an outdoor toilet in the foreground. It is in a poor state of repair, side walls being cracked, woodwork worn, and paint generally needed. While lighting is by electricity, wiring is attached to the surface of the walls and is easily accessible. Despite the fact that kerosene lamps are kept on the wards for emergency use, an attendant was found smoking in the ward. Room doors are locked with numerous different kinds of locks, although most are secured with a small padlock and a hasp and staple. There is little day space, except on dark halls. But few chairs are provided, benches without backs being substituted. Men's wards are particularly bare and desolate in appearance. On a single ward there is one stationary wash-basin, but elsewhere patients are obliged to use the single bathtub faucet found on each ward. As patients eat breakfast at 5.30 A. M., it appears questionable whether they all have a chance to wash before breakfast.

Ward dining-rooms are narrow, the two tables in each almost completely filling the space; only backless benches are here provided. There is a zinc sink in each dining-room for dish-washing, but water has to be carried in a pail the length of the ward, the bathtub being the only source of water supply. Food service is

haphazard, patients entering and leaving dining-room at will. In one instance the attendant had gone to the almshouse building for his own meal, although patients were found still eating, while thus left alone.

Ventilation is defective and deodorizing fixtures were seen not only in toilets but in wards. Sewage disposal is by cesspools, and one in use is but a few hundred feet from the almshouse building. It should be added, however, that plans have been made for more sanitary sewage disposal. There is a good exercise yard, except that it is enclosed by a high board fence, completely shutting off the patients' view, while it is undivided for the sexes. However, the matter of exercise fails to receive proper attention, many patients going outdoors but rarely.

Administration.—Sexes are poorly separated and the quiet patients of each sex are allowed to mingle in going in and out of the exercise yard, the doors of the two quiet wards leading to the yard being left open much of the time. Patients fail to receive proper personal attention. In the men's wards clothing was found generally disordered, unbuttoned, and in a few instances torn. When last-mentioned condition existed, there was no evidence of underwear. One male patient was seen in the morning with clothing unbuttoned and much disordered, and when again seen late in the afternoon he was in exactly the same condition, being a stupid, inactive patient. Several men were seen barefooted; some had shoes but no socks, while others had socks but no shoes. In general, the condition of women was better than that of the men.

Dietary appears too scanty, practically no food being left on the tables after the meal inspected. The same *ménu* is served the corresponding days each week, varying only as the seasons render different supplies available. Butter is served but once or twice a week. Molasses, bread and coffee are the staples for breakfast and supper, although occasionally a potato, some oatmeal, or crackers are added.

The punitive idea is here prominent; two women were found strapped to the chair with a leather strap, and a third was so strapped to a toilet chair. It was readily explained that in one case at least the patient was strapped "as a little punishment"; it was added, "You have to punish them a little sometimes, it does them good." Later, a male attendant remarked in reference

to restraint, "We use it simply to conquer them; it is to punish them a little when words are not enough." The institution has several cells in the cellar for violent cases, but none was occupied at time of visit, their last occupant having been transferred to a State hospital some weeks prior to visit. Such cells are provided with inside doors of iron grating, with heavy wooden doors outside. Side walls are finished in wood. Each possesses but a single high basement window, so both light and air are deficient; there is an open toilet hopper in one corner; they are heated only from cellar passageway.

A visiting physician attends to the physical ills of patients, but there are no medical facilities nor treatment for insanity as such. There is no recreation, and patients lead a confined and monotonous existence, a number being noted lying about on the floor asleep, there being no effort to keep any occupied except as they may work willingly.

A vicious practice exists whereby four pauper inmates of the almshouse live with the insane and one of the latter lives in the almshouse. It should be added, however, that two of such paupers present mental symptoms and are to be shortly committed, but in the other cases they live as they do simply because they assist with the work. There is also in the insane department the infant child of one of the women patients, no consideration having as yet been given to the matter of its ultimate disposition.

Particularly objectionable as the conditions are for the care of the insane, it would be likewise desirable to remove the insane from this institution for the reason that the almshouse is overcrowded and every winter it is necessary to house almshouse inmates in the attic, so good use could be made of the present building for the insane to relieve this condition.

The objectionable practice is here followed of deciding as to whether a patient shall be committed to a State hospital or to the county hospital by the degree of troublesomeness manifested by the patient, regardless of prognosis.

INSTITUTION NO. 25

Physical Conditions.—A single story extension at each end of the almshouse provides accommodation for the insane of each sex; there being a single covered connecting corridor to each closed by doors of iron grating placed at the entrance. Outside

such doors hose and standpipes are found, but they constitute the only fire protection for the insane wards. There are no outside exits from the latter, the only approach being through the corridors mentioned. On the men's side is a small basement dormitory with two small high basement windows from which there is but a single exit by means of inside winding, wooden stairs to the ward above. The men's ward is bare and cheerless, but on the women's side ornamental wall-paper has been cut out and pasted in sections on the wall, so as to give the effect of pictures. Windows are guarded by inside iron bars, producing a prison-like effect. Chairs are permanently fastened to the floor, and as a result patients were found lying prone on the floor not only in the ward, but in the toilet sections; while patients have access to hot water, there are no hot water safety devices.

Sewage flows untreated into a swamp about a mile distant. Water supply is limited. Service departments were found in excellent condition and housekeeping generally is above the usual almshouse standard. A particularly good feature, showing initiative on the part of local authorities, is a home-made refrigerator, which is divided into compartments, and which is most satisfactory.

There are no porches on the wings for the insane, although the almshouse proper is so equipped. Women's exercise yard is unused for the purpose, but men's yard is covered with paths worn in the earth by the pacing back and forth of patients. It is enclosed on three sides by buildings and on the fourth side by a heavy masonry wall of distinctively prison-like appearance.

Administration.—One of the most serious faults is the substitution of close confinement for personal attention. There is but a single male attendant and no women attendants. Women patients are "looked after" by the woman cook, when she can spare time from her other duties; but she was not in evidence during visit. As she sleeps near the women patients and the man attendant sleeps in the male ward, there is thought to exist no necessity for night attendants. Patients are admittedly left alone much of the time. One result is that patients' clothing was found disordered, in some instances torn, and in a few cases much soiled; such condition being more marked on the men's than on the women's side. In the almshouse proper the inmates of both sexes presented a much better appearance.

Women patients never exercise out-of-doors, it being said "we can't get them out" and their exercise yard is therefore utilized for clothes-lines. Although the weather was favorable, men were not out for exercise on day of visit. Only willing workers are employed, the majority of the patients sitting or lying about in a dull, listless fashion. There are neither recreations nor religious services.

Patients eat in the same dining-room with the paupers, although at separate tables. In accordance with the general excellence of the service departments, the garbage is well handled.

Medical treatment even for physical ills is limited. Visiting physician visits regularly but once or twice a month. He is said to give no attention to the insane, except as indicated by the lay superintendent. As it was expressed in referring to the matter, "He doesn't even know how many we have got in the Insane Department." The lay superintendent and his son dispense medicines, and during visit the latter filled a bottle with eye-wash and one with a cough mixture at the request of two pauper inmates. He expressed the opinion that he could give out most of the medicines needed as well as the doctor. A trusty patient who has a room to himself is charged with the duty of keeping the ward disinfectants.

Institution is provided with handcuffs, which, however, are said to be but rarely used except in transporting patients to and from the institution. Two patients were found in seclusion on occasion of visit. The opinion was expressed that seclusion was a good practice in certain cases, for if patients got troublesome it was only necessary to shut them up and allow them to go without a meal or two, at the same time giving them plenty of water to drink, when, "They will follow the point of your finger around like a dog." Despite the above statement, there is evidence that the local administration is kindly disposed toward the patients, and the attitude indicated appears the result of ignorance rather than intent.

The County Commissioners determine whether in a given case an insane patient is to be committed to the State Hospital or the County Hospital. They usually consult with the visiting physician and the superintendent of the almshouse. In practice it appears that it is the latter's opinion which usually prevails, but it should be added that he is said always to recommend commit-

ment to a State hospital if in his judgment a patient can be improved by treatment. While some alleged cases of insanity are placed in jail pending commitment, others are brought to this institution and confined in the insane ward with the committed patients, it having happened that patients have been so confined for three to four weeks without commitment.

It has been proposed to enlarge the capacity of the insane ward, the County supporting a considerable number of patients in the State hospitals, whom it is thought can be supported more cheaply here, the question of expense evidently being the only factor considered.

A deplorable feature of this institution is the presence of nine children in the almshouse, it being remembered that paupers and insane eat in the same dining-room. The almshouse is overcrowded, especially in winter, and it was recently necessary to convert part of the chapel into bed space, so good use could be made of the insane wards if the insane were removed, as would seem most desirable.

INSTITUTION No. 26

Physical Conditions.—Insane women occupy the second floor of a wing of the almshouse, entrance to which is had only through the almshouse wards. Men insane live in a detached building at the rear, which has been properly condemned by the State Committee on Lunacy. This building has a central narrow dark hallway, with such small bed-rooms on either side that beds occupy most of the space. There is no day space at all; because of these and other conditions, male patients are no longer admitted. Women's ward also lacks day space, owing to the necessity of using part of ward for a dining-room. Both wards have inside vertical iron bars at the windows, while most of doors to rooms have similar bars in the upper half. Wards are bare and unattractive. One room on women's ward is lined with tin on side walls for disturbed patients. With but a single ward for each sex, no classification is possible. Ventilation is defective, especially in toilet sections, where deodorizing fixtures were noted.

Service departments are in good condition, save in meat-cutting room, where several beef hearts were seen covered with mold, and where the meat cutting block was in an uncleanly condition. Fire protection is inadequate. Water pressure is

insufficient to throw water over the building, as it is obtained from water tanks in the attic. Sewage disposal is unsatisfactory; sewage flows from a cesspool into trenches, the earth from which is used as a fertilizer.

An unpleasant spectacle was afforded by a number of coffins piled one on top of the other in a small storeroom just outside the entrance to one of the almshouse wards, the door of which was left open throughout day of visit.

Administration.—Male patients are all parole patients, and hence no attendant is provided. There is but one woman attendant, who also works in the almshouse department, so patients are left alone much of the time. Owing to the lack of day space, most of the patients were found in their rooms, where they were idly sitting, only willing workers being occupied. Dietary here is better than is usual in almshouses. Male insane eat with the male paupers at the same table. There is no enclosed exercise yard and such of the patients as exercise do so with the paupers, but a large proportion of the women never go out-of-doors, being decrepit and unable to go up and down stairs from the second floor.

Few patients now in institution ever require restraint or seclusion, but either may be used at the discretion of the attendant or lay superintendent, the physician not being consulted. The use of morphine to quiet excited cases is regulated in the same way, a "practical" nurse from the almshouse department administering it if thought necessary. Institution is equipped with leather belt, strait-jacket and leather handcuffs, should restraint ever be deemed necessary.

It was formerly the practice to commit acute cases of insanity to this institution, but the present practice is to commit such cases to a State hospital, the change in practice resulting from the death of a patient, while at home on parole, from starvation. It was said the patient refused to eat because of delusions, and the relatives not knowing how to deal with the situation allowed the patient to starve to death. Alleged cases pending commitment are placed either in jail or with the committed insane here.

INSTITUTION No. 27

Physical Conditions.—There are but two wards, in the form of narrow halls, the men living one floor above the women, so no

classification is possible. Light and air are both deficient. Windows are but the width of two small old-fashioned window-panes. As halls furnish most of the day space, the patients remain in their rooms most of the time, and the practice of keeping the doors closed renders the halls darker than would otherwise be the case even with the small windows. Both wards open into the almshouse proper.

A dark storage basement under the building is in part used for a tramp room; being dark and unsanitary, it has been properly condemned by the Committee on Lunacy. General service departments are poor. Kitchen in basement of almshouse has a broken concrete floor, is dark and poorly ventilated, and was found in an uncleanly condition, only pauper help being here employed. A barrel sunk in a spring is the only cold storage provision. The laundry, situated in part of the slaughter house, is equipped with wooden tubs only and hand wringers. The clothes are dried on out-of-door lines or in the attic, and are ironed in the almshouse basement. The boiler room for heating is situated below the surface of the ground, so that the ashes have to be carried by hand up a flight of steps.

Sewage disposal is unsanitary. There are two cesspools, each about 200 feet from the building. At times these overflow and formerly would then flow into a neighboring creek, but owing to objection on the part of the State Board of Health, when overflow occurs it is now carried by ditches to waste land about one quarter of a mile distant.

Fire protection is extremely poor. The only water pressure is obtained from a small attic reservoir, with a capacity of 150 barrels; there is a second such reservoir which has never been used owing to the expense of making connections. A single screw nozzle faucet for garden hose is placed outside, some distance from the building, and this furnishes the only means of fighting fire, there being no inside provisions whatever. There are two unenclosed outside iron fire-escapes. There is a single inside wooden stairway at the junction of the building for insane with the almshouse proper, there being no outside exits at other end of building, except through windows, to the fire-escape. A recent addition supplied by the steward's initiative is an outside wooden stairway to the second floor at almshouse end. That the fire risk from lack of water has been appreciated is evinced

by the statement that plans have been considered for connection with the water mains of the neighboring city, which pass directly in front of the property. As yet, however, no action has been taken owing to the expense involved.

The wards are provided with outside iron-barred window guards, and in so-called "strong rooms" such guards are also placed inside the windows. There is a short hall on each ward, at one end of which is the dining-room and at the other end the toilet section. The toilet facilities are all in one open room. There are no hot water safety devices, although patients have free access to faucets. The hot water supply is limited, however, being obtained only from a heater on the kitchen stove. It was admitted that the supply frequently becomes exhausted before bathing is completed. Plumbing is old, worn, and much of it is concealed in the walls. It was said that on one occasion it was necessary to tear up an entire floor in order to make necessary plumbing repairs. Each so-called "strong room," aside from extra window guards, is provided with an extra door of open iron grating inside the wooden door. One such room has side walls lined with tin, a disturbed patient having destroyed the plaster. Benches and chairs are both provided, the quiet stupid patients being kept on the former, ranged along the side walls. As it was expressed in pointing out one such patient, "She usually stays right there where she is put all day long."

Exercise yards are enclosed by a high, whitewashed board fence, in part surmounted by barbed wire.

Administration.—Food service is very poor, it being necessary to carry all food by hand from the almshouse through the length of the wards to the dining-rooms. The food served is the same as for paupers, and it lacks variety. The same meals are served on corresponding days each week, except only as the seasons change. Bread, butter, molasses, and coffee are served for practically every breakfast and supper. For the latter meal, however, an onion, tomato, or apple is occasionally added. Each patient receives a glassful of butter weekly, the whole amount being left in charge of the individual patient. It is said that some consume their allotment within a day or so, while others, more economically inclined, keep the butter in their rooms and make it last the entire week. Patients are also allowed to take meat from the table to their rooms after the noonday meal, so that

they can save it for supper. A woman patient was pointed out as being able to go for long periods without food, it being said that she had gone as long as sixteen days without apparent injury. It was added, with a smile, "She soon makes up for lost time when she again starts to eat."

Patients can necessarily receive but little personal attention, the only attendants being one married couple. In lieu of a night attendant, a colored pauper is used as an outside night watchman. He is not allowed to enter the buildings. The male attendant was formerly a farmer, and neither he nor his wife ever had previous experience with insane. It should be added that they both appear to be doing their duty as well as possible under defective conditions, and according to their lights, this being evinced by the good housekeeping and the unusually good condition of patients' clothing.

The practice exists of keeping untidy patients in the toilet sections, and on day of visit four male patients were found there seated on a bench and restrained, it being necessary to leave them alone most of the time, as the single attendant performed his duties elsewhere. One such patient was said to be constantly restrained; two of them were fastened to the bench by leather straps about the waist, and one had his hands secured by a leather muff. The latter also had a wire screen cage over his head resting on his shoulders, it being explained that even when restrained he tore his clothing with his teeth. These patients, together with an unrestrained stupid patient sitting with them, were barefooted, their feet resting on the concrete floor. While it was said they were not used in the institution, steel handcuffs are used in transporting patients either to or from it. A disturbed patient who died during the past year was, in the opinion of the local authorities, "worried to death." This patient was so violently disturbed that even when handcuffed with his hands behind his back, or beneath his knees, and being meanwhile strapped to the bed, he could free himself. On one occasion after being locked in his room when restrained in the manner described, he not only freed himself but tore the screen from the radiator and sustained severe burns, which appear to have been at least a complicating factor in causing death. It was stated that even when this patient was in one of his wildest moods, he could be quieted when the steward talked to him, as it was expressed, "in a sensible

manner." At such times the patient declared he was not insane but simply was unable to control himself. The facts as given would indicate that had patient received proper personal attention, and had proper medical treatment been instituted for the relief of his mental condition, the case would have had a very different termination, as the symptoms described indicate that he was suffering from a recoverable form of insanity.

The visiting physician regularly calls but three times a week, and although it was admitted that the State Committee on Lunacy had spoken about the matter, no clinical records are kept. There are, of course, no medical facilities or treatment for mental disease.

The separation of the sexes is poor, on which account the presence of several erotic girl imbeciles constitutes a menace.

Owing to the fact that the almshouse only is provided with dormitories, and the building for the insane only with single rooms, the custom prevails of caring for certain of the insane in the almshouse proper, and for certain of the pauper inmates of the almshouse with the insane.

Alleged cases of insanity if quiet are cared for in the almshouse, but if disturbed are placed in the "strong rooms" of the insane department. Commitment is by the Commission process, the Commission recommending whether commitment shall be to a State hospital or the county institution. It was freely admitted that the issue was determined by the degree of troublesomeness manifested by the patient, or should the patient belong to one of the "better families," the recommendation is always for commitment to a State hospital.

The almshouse is utilized to capacity, is overcrowded every winter, and it could well use the building now occupied by the insane, especially as they would supplement one another as regards single rooms and dormitories. There thus appears an added reason, apart from the deplorable conditions, why the insane should be removed from this institution at the earliest possible moment.

INSTITUTION No. 28

Physical Conditions.—An extension from either end of the almshouse provides a single story ward for the insane of each sex, each ward being connected with the almshouse proper by a covered corridor, at the entrance to which are doors of heavy iron

grating. A similar iron door shuts off a short hall on which single rooms open, such door being regarded as necessary when patients are secluded in their rooms, although the latter are locked. There is a single day room on each side where all types of cases mingle. Wards are bare and in some places plaster has fallen, although on day of visit repairs were in progress where such damage was most extensive. Toilet facilities are fairly satisfactory, except that the single bathtub for each sex is placed in a small room, which, with but a single small window, is dark and poorly ventilated, while no hot water safety devices are provided.

Single rooms have no lights and are locked at night. Several such rooms, used for seclusion, have adjoining toilets which have no opening aside from the door.

There is an exercise yard for each sex, enclosed by a high iron picket fence; neither has any shelter. Although the almshouse has porches, there are none for the insane.

Only fire protection is provided by a hose and standpipe outside the iron doors at the entrance to the corridors connecting the almshouse with the insane wards. The only outside exits from the latter are into the exercise yards, and there is no gate in the surrounding iron fence. But part of the steam radiators are protected. Sewage disposal is most unsanitary; sewage flows untreated into a small creek about 200 yards from the front of the building; when seen, the creek had little water, sewage was stagnant, and there was considerable odor.

Administration.—Patients receive little personal attention, as would be expected under the conditions, there being but a single male and a single female attendant. The former is termed assistant superintendent, works on the farm, and admittedly spends little time in the wards, which are left in charge of a trusty patient in his absence. The woman attendant spends the greater portion of her time in the sick ward of the almshouse, being the only woman employee aside from the matron and cook. The insane patients are, therefore, left to their own devices much of the time. There is no night employee—not even a watchman.

The housekeeping is generally poor—dust and cobwebs being much in evidence. Toilet sections were in particular disorder. A number of beds were seen in the afternoon just as they had been left by patients on arising in the morning. Patients are allowed to collect worthless trinkets and rubbish in their rooms, and in

one room a large piece of broken glass was noted. A patient was found smoking in the ward without exciting comment.

Although clothing is of fair quality, it is poorly cared for—in the majority of cases buttons were found off and clothing open; much of clothing was soiled and some torn. One young girl's dress was so torn as to expose her person. Many patients were seen without shoestrings, and a number of both sexes seen barefooted; in the latter instances, from the appearance of the feet, patients had not worn shoes and stockings for a long time; it would have been impossible for one man to have done so, because of the extreme length of his toe-nails.

Sufficient food is apparently supplied, but there is little variety. Meat is served but three or four times a week.

Only willing workers are occupied, and they constitute a comparatively small percentage of the total number. Idle patients have no regular exercise, and on day of visit, although weather was favorable, no men were out. On the women's side, however, the door from the ward to the exercise yard stood open, and some of the women were found in the yard, one lying prone on her back with the sun shining full in her face, without anyone giving heed. Several of the women in the yard were talking loudly, while on the other side of the open iron picket fence children from the almshouse were playing.

There are no recreations. Only occasionally do a few of the insane attend religious services in the almshouse, and for the most part patients lead a mechanical and monotonous existence.

With such a limited amount of personal attention, restraint and seclusion are both necessarily used; the forms of restraint used include leather wrist cuffs and muffs and the strait-jacket. One woman patient is constantly restrained with leather muffs, so she has to be fed and undressed by others. It was explained that "She tears her clothing and is very bad." When patient was questioned, she said, "I would be good if they would take this off," indicating the muffs. As to seclusion, the attendant remarked that it was rarely necessary to keep them locked up more than half a day, as "That is usually enough to tone them down." A paralyzed man was found locked in his room with both the bed and floor in a foul condition, but the door was again locked, the condition found causing no comment.

There are no special medical facilities except that a seriously

sick patient is removed to the sick ward in the almshouse, which is an ordinary dormitory set apart for the purpose. The visiting physician calls regularly but once a week, and that patients do not receive sufficient medical attention is evinced by the condition in which a stupid male patient was found. He had a large abscess on the side of his neck, evidently of some duration, as the pus had burrowed a considerable distance through the tissues. Although the superintendent inquired of other patients how long the condition had existed, nobody was found who knew anything about it.

An unfortunate feature of the situation is that the visiting physician believes that acute cases of insanity can be cared for here without difficulty, his idea of the treatment of mental disease being summed up in the phrase, "Build them up."

Alleged cases of insanity are sent here pending commitment, and they often remain several weeks, no distinction being made between them and the committed cases. One male case at present in the institution has been here for several months, the examining physicians having refused to commit him, and his relatives having refused to allow him to return home.

An unfortunate tendency was observed here as in several other county institutions in reference to general visitors. On day of visit, there were three parties of general visitors, whose interest in seeing the insane was quite evidently one of morbid curiosity, as they did not fail to make audible comments about the women patients as they stared at the latter through the iron fence surrounding the exercise yard.

All positions in both insane department and almshouse are regarded as political assets, even the male attendant receiving his appointment as a reward for political service. The superintendent is a former farmer, who frankly admits he knows nothing about the insane.

Were the insane removed from this institution, as existing conditions render most advisable, the two wards could be used to advantage by the almshouse, where every winter there exists much overcrowding.

INSTITUTION NO. 29

Physical Conditions.—The institution is inaccessible, except by private conveyance; it is located six miles from the nearest railroad, over poor highways. The almshouse adjoins a recently erected, substantial, fireproof building for the insane which has

but a single ward for each sex, men occupying the first floor and women the second. A prison effect is produced by heavy iron bars at the windows and iron grating doors outside wooden ones at the outside entrance. Toilet facilities are modern, but there is an insufficient number of wash-basins. Dormitories are excellent, but there is only one, single room for each sex. There is a lack of day room space, considering the number of patients cared for. As a result of the impossibility of classification and the close physical contact, two discolored eyes were noted among the women patients. Some overcrowding was evident, and a few mattresses on the floor indicated lack of sufficient bed space.

Service departments are in basement, where the dining-room also is located. Decrepit patients eat in the ward, and two cases were noted of patients eating from the top of a screened radiator. Food is apparently satisfactory.

Service departments are generally well conducted, particularly the outside departments, under the direction of the almshouse steward. Farm work especially appears to be done in an efficient manner.

There is no provision for fire fighting, except water lines, the pressure in which is obtained only from tanks in the neighboring almshouse attic, and which are therefore unreliable and insufficient. Dependence is admittedly placed on fireproof construction of building, although it has the usual interior wooden trim. Kerosene is kept in the basement.

Raw sewage flows into a neighboring creek, but plans have been formulated for two settling tanks.

Exercise yard is enclosed with wire netting, but exercise is irregular, and is only possible when resident physician is present to act as an attendant, owing to the limited number of attendants employed. In his absence on day of visit patients were not out for exercise.

A so-called "cell" in the basement is used for seclusion. It is an unfurnished room with a single high basement window, so light and air are deficient; it has a concrete floor with a drain in the center, in lieu of toilet facilities, and is provided with a heavy wooden door of double timbers. While patients in seclusion are taken to the toilet during the day, they are not at night, the room being flushed with a hose in the morning. It had been vacated day prior to visit and an odor was still perceptible.

While the main almshouse building was fairly acceptable, two detached buildings for male paupers were in a dilapidated condition; one has been condemned by State authorities, and it would appear that both should be. Plans have been formulated for a building to replace the condemned almshouse building, but such necessity would not exist could the insane be removed from this institution, as the lack of facilities, especially regrettable in a new building, renders desirable.

Administration.—Existing conditions are held responsible for the free use of restraint, although they do not seem to offer an excuse for the forms employed. On day of visit a man was restrained with steel handcuffs, fastened tightly about his wrists, because, as it was explained, "If they were loose, he would free himself." Both wrists were abraded, evidently as a result of his struggles. He repeatedly asked to be freed, and when he was asked why he did not conduct himself properly, he inquired in turn how could he with the handcuffs on. When seen, he was sitting on a chair talking in a moderate tone, and showing no great unrest. Comment being made on the form of the restraint when the ward was first visited, it was noted when passing through the ward later that the handcuffs had been removed. The patient was moving rather restlessly about, but was smiling and less talkative than when first seen, making no trouble whatever. He was said to be a recurrent maniacal case and able to tell the day before when an attack is impending. He will then spend considerable time dashing cold water over his head, but such efforts on the part of the patient do not appear to have ever caused his caretakers to think of using showers, wet packs, or such forms of hydrotherapy as are possible without special apparatus. The forms of restraint, aside from steel handcuffs, include the strait-jacket, leather cuffs and anklets, the latter being exhibited in a broken condition, a male patient having succeeded in freeing himself from them.

A fair proportion of the patients are occupied, but occupation is unregulated except in accord with the demands of the Board of Directors, who are said to be constantly complaining that an insufficient amount of work is obtained from the patients.

Medical facilities are limited, even for the treatment of physical disease, which is admittedly the only medical treatment. The resident physician was recently appointed, after answering an

advertisement, and so far as known has never had any experience with the insane. He is allowed to engage in general practice. Nobody knew the cause of his absence on day of visit, or when he was apt to return. A single tubercular patient mingles with the others without restriction.

There is a general atmosphere of depression pervading the institution, and the punitive idea prevails. Attendants were heard ordering patients in a most peremptory manner to perform various tasks.

Business affairs and the matter of supplies are in charge of the almshouse superintendent. The latter is of progressive tendencies, and has made numerous changes during his tenure of office tending to a more business-like administration.

INSTITUTION NO. 30

Physical Conditions.—Main building for insane is of an old type, but fairly satisfactory. A detached building, however, used by untidy patients, is dilapidated and unfit for occupancy. The neighboring almshouse building is of recent construction, and is much superior to any other building of the entire plant. Aside from wards in detached building, insane wards are well furnished and comfortable. Toilet facilities, however, are insufficient in number and in part of an old, antiquated type. Steam radiators are but partly protected, although work is in progress to screen them all, following recommendation of State Committee on Lunacy made nearly two years ago.

Kitchen is too small, but is well equipped. A new building is in process of erection to replace present unsatisfactory laundry; it will likewise provide an amusement hall, the present one on the fourth floor furnishing an undue fire risk. Cold storage facilities are inadequate, but otherwise, except as noted, service departments are satisfactory.

Fire protection is fair, but no fire drills are held, being regarded as undesirable.

Exercise yard is enclosed by a high iron picket fence, and divided by a brick wall for the sexes. However, the practice of allowing patients to exercise on the open lawn is increasing.

There is a modern hydrotherapeutic plant, including continuous baths, but it is poorly located. Disturbed patients, for whom such treatment is mostly indicated, are kept on the floor above

and it is necessary not only to bring them downstairs but through a hallway and the main dining-room to receive hydrotherapeutic treatment, so its use must necessarily be restricted.

While two wards are set apart for the reception of new cases, neither have any special facilities. There is no provision for the isolation of tubercular cases, except that advanced cases are kept in single rooms.

Administration.—Formerly the superintendent of the almshouse was the executive head of the whole plant, but in recent months a change was made whereby the resident physician became chief executive of the insane hospital; he has no voice as to supplies, however, other than strictly medical ones, and clothing, food, etc., are not regarded in the latter category. An even more serious administrative defect is that while the physician may indicate which patients may go outdoors for work, they are under the direction of the almshouse superintendent as soon as they leave the ward, so the physician has no voice as to the tasks assigned individual patients, and there is considerable evidence that the needs of the work are considered before the needs of the patients. There are no occupational classes.

A good result following the administrative change is the reduction of restraint and seclusion. On day of visit but a single patient was restrained, being a homicidal woman who had one hand only, secured by a leather cuff and fastened to a leather belt about her waist.

There is an insufficient number of attendants and but a single graduate nurse to care for the sick, not only in the insane hospital but in the almshouse. It is said, however, that a training school for nurses is planned. There are but two physicians to care for over 500 insane patients and the sick in the almshouse, but it is said another physician is to be added to the staff. There is no provision for dental work.

There is no reason to doubt but that patients' material comfort receives proper attention, although the care given is but custodial. There is a lack of facilities, not only for the treatment of acute insanity, but for the treatment of physical ills. There is no pathologic work and but a meager amount of clinical laboratory work, the facilities for which are limited and crude. Medical records are poor, but improvements in this respect are planned.

Defective discipline prevails; an attendant was found smoking in the ward without exciting comment.

Business methods are defective and do not provide for the rejection of unsatisfactory deliveries of supplies. There is insufficient checking of the latter, so that the interests of the institution are not sufficiently safeguarded.

There is evidence that political influences have frequently asserted themselves in regard to hospital matters, especially concerning appointments to the higher positions.

In view of the fact that the excellent almshouse building has never yet been occupied to capacity, while part of the insane are occupying a building unfit for habitation, it would seem desirable that the whole plant be converted to the use of the insane alone. Could such a plan be adopted, this institution would form the nucleus of a good State hospital, material facilities being in the main satisfactory. The comparatively large acreage here available would permit of future development.

INSTITUTION NO. 31

Physical Conditions.—The insane occupy two buildings, situated between the main almshouse building on one side and the almshouse hospital building on the other, all being connected by covered passageways. One building for the insane is of comparatively recent construction and fairly satisfactory; it lacks sufficient toilet and bath facilities, however, and some of the plumbing is placed so low as to afford opportunity for suicidal attempts. Heating facilities are insufficient. In the old building the floors are badly worn, walls are smoked, cracked and broken, woodwork is worn, and paint is generally needed. The ceilings are low, there are numerous dark, narrow passageways, and its dilapidated condition renders it unfit for human occupancy. Some of the patients' rooms in this building have iron grating doors inside of solid wooden ones, and have, in addition to the usual outside iron-barred window guards, heavy wire screens placed inside the windows. On one of the women's wards a heavy iron-barred partition extends from the floor to the ceiling, shutting off one end of the hall, so that patients cannot reach the windows. Part of toilet sections have wooden floors, and toilet accommodations are not only insufficient but antiquated, worn, and unsanitary. Numerous small, dark closets are found and, in general, light and ventilation are extremely poor. Benches provide the only seating facilities, and being

devoid of any decorative features, the interior of the old building presents a most dismal and desolate appearance.

The dining-rooms in the old building are particularly objectionable, there being no service facilities. Food appears satisfactory, although a stereotyped *ménu* is repeated weekly.

Lighting is by electricity, but in the old building wiring is attached to the surface of walls and ceilings, and is easily accessible to patients. Although steam radiators are unprotected, it was said a contract has been let to install protecting screens.

Sewage flows untreated into a creek about 500 feet from the rear of the buildings. Fire protection is defective, especially in the old building. Water pressure is variable and is not always sufficient to reach the upper floors.

Exercise yard is below the ground level on one side, being dug out of a hillside, so that it is at the ground-floor level of the adjoining building, which stands on the slope. The yard is surrounded by whitewashed stone walls and is divided in the middle for the sexes. Patients exercising here can be heard easily on the street in front, the institution being located in a residential suburb, and it is admitted that neighbors occasionally complain.

The outside departments belong to the almshouse and patients working in them are under the direction of the almshouse superintendent. The rear yards and those about the farm buildings were found littered with considerable rubbish and flies were numerous. But a short distance from the springhouse, where milk is handled, at a point about 500 yards from the patients' buildings, is a frame piggery found in a most unsanitary state, rubbish and garbage being scattered over the ground about it. It was remarked: "This condition probably accounts for the many flies throughout the institution."

The new building contains practically all dormitories and the old one practically all single rooms, hence classification is difficult. The official capacity has been increased as patients have increased, although without additional accommodations, and a serious degree of overcrowding exists, as is shown by local calculations, which, including both bedroom space and dayroom space, give but 350 cubic feet of air space per patient.

There is no hydrotherapeutic apparatus and no special medical facilities, aside from a small, but well-equipped clinical laboratory, established by a former physician, but the present resident

physician has no opportunity to use it, having no assistant, and being charged with the care of over 300 insane patients, besides the physically sick in the almshouse.

There is a detached building for contagious diseases which stands idle most of the time. In view of the fact that tubercular cases have to be kept with other patients, it would seem that such a building should be utilized for their care. New tubercular cases not infrequently develop in the wards, in the majority of instances the disease resulting fatally, and of the total number of deaths occurring the last hospital year, 27 per cent. were from tuberculosis. It was said that the State Committee on Lunacy directed that the insane hospital should use the above-mentioned building, but the Board of Directors adopted a resolution opposing such suggestion and no further action has been taken. It was said that such building when erected was approved by the State Board of Charities with the understanding that it should be used only for cases of contagious diseases occurring in the institution, but the Board of Poor Directors have used it only for cases of contagious disease occurring outside the institution.

The almshouse hospital building is much less objectionable than the old building for the insane, and hence the practice of caring for occasional sick insane patients in it is less inhumane than might appear at first sight.

Administration.—There is reason to believe that the custodial care given is as good as could be expected under the conditions, but it is, of course, custodial care only. Patients' clothing is above the average and they apparently receive as much personal attention as is possible with a meager number of attendants. Strict rules are enforced as to ill-treatment of patients, and during the past year two attendants were placed under arrest on evidence that they had ill-treated a patient.

Restraint and seclusion have been reduced to a minimum, although it is unfortunate that some of the attendants regard the latter as "just for punishment." The more objectionable forms of restraint have been abolished, including leather muffs, wristlets, and straps.

A fair percentage of the patients are occupied, but there are no occupational classes and work is unsystematized. There are but limited facilities for recreation.

Both sexes occupy both buildings, and separation of sexes is

poor. While communicating doors between their respective wards are supposed to be kept locked, it was admitted that such a condition is only obtained with difficulty. This is the more serious by reason of the large number of defectives cared for, who present no evidence of insanity. No effort is at present made to discharge them, as in the past, when discharged, they have either been recommitted as insane or been returned to the almshouse, in which circumstance it is the policy of the Directors to have them committed as insane, although admittedly without mental symptoms, apart from defectiveness.

As one of the insane buildings should be at once abandoned and as the almshouse is overcrowded every winter, it would appear desirable that the insane be removed from this institution and the almshouse given the use of the more recently constructed building for the insane.

INSTITUTION NO. 32

Physical Conditions.—The insane hospital with the adjoining almshouse is maintained by a specially created Poor District, but the two institutions are independently administered, except as supplies for both are purchased together. The building for the insane is not unsatisfactory, except for such defects as poor natural lighting in places, defective ventilation, and certain other less important defects, all of which could be improved by alterations. The main almshouse building is the superior structure, and so far as structural conditions are concerned is better adapted for the insane than is the building now used for them.

There are two separate laundries, two storerooms, two kitchens, etc., but space is lacking for adequate service facilities for the hospital, several such departments being in the basement with especially poor light and ventilation.

The upper sashes in the hospital are permanently fastened, the lower ones being guarded by outside straight iron bars. Varying sized dormitories provide fair classification at night, but day classification is unsatisfactory. Excellent porches for decrepit patients constitute a good feature. On all wards there is a lack of chairs and benches, patients lying on the floor, even in the passages to the water sections.

Ventilation is generally defective, a distinct odor being observed throughout the institution, but it is especially marked in

the infirmary. There is a system of ventilating flues, but the fact that the openings to them were in several instances stuffed with socks and old rags may have had some relation to the condition found.

There are no special reception wards, while the infirmaries for the sick lack special facilities. There is no provision for isolation of tubercular or contagious cases. There are no hydrotherapeutic apparati, no facilities for pathological work, and but crude facilities for the meager amount of clinical laboratory work done.

The toilet facilities are insufficient, despite which two toilet sections were found unused, it being explained, "It's hard to watch them in here and they're apt to hurt themselves." Some toilets were out of order and emitting an odor. The plumbing is old and some leaks were observed. Hot water safety devices were lacking and it was admitted that at least one patient has been seriously scalded by hot water.

Two basement dining-rooms are particularly objectionable, being dark and ill-ventilated as well as devoid of furniture except bare tables and chairs. Old dented tinware is used. The two main dining-rooms have windows on but one side, so light and air are also deficient in them. The food elevators are lined with wood, and although the local authorities recommended that they be replaced over two years ago, no action was ever taken. The basement kitchen is also poorly lighted and ventilated. While there is a direct refrigerating plant, it is badly located at the rear of the dynamo room, which in turn is at the rear of the kitchen and laundry. The entrance to the plant is at the side farthest from the kitchen, and here considerable refuse was noted.

The water supply is limited, but could be improved by additional wells, the single well now used in conjunction with other supply having a good flow. The sewage flows untreated into a neighboring river. Fire protection is fair, but could be improved. A considerable quantity of rags and some refuse, including a pile of mouldy shoes, were found in the basement, although a trusty patient was seen here smoking a pipe.

Administration.—The housekeeping is generally poor; in the male infirmary sputum was seen on the floor with flies clustering about. Here also soiled linen was found stored in a bathtub.

All the toilet sections were in disorder; water was splashed about and in one bathroom the central floor drain was obstructed by the contents of a cuspidor emptied over it.

The food service was unusually poor; patients straggle in a few at a time and immediately proceed to seize the food placed on the tables before their entrance. The food, however, is satisfactory, but a bad feature is the practice of allowing some patients extra food supplies at the discretion of attendants. There appears to be an unnecessary amount of food waste, but it is not locally regarded as waste, as the hospital sells garbage to the almshouse for the privilege of buying pork under the market price.

Occupation receives some attention, but there are no special occupational classes or re-educational work, as such. Patients working on the farm are under the direction of the almshouse superintendent after leaving the ward. The matter of exercise receives attention, and a good feature is the absence of an enclosed exercise yard. There are some recreations, but their employment is unsystematized. There is an assembly hall on the fourth floor, and while there are outside fire-escapes, these do not obviate the danger of panic in case of fire.

The patients' clothing is of fair quality, but receives little attention, being disordered in the majority of cases and not infrequently torn. Even with the women, when clothing was so torn as to expose patients' limbs and bodies, the matter apparently was regarded with indifference. Although there is an insufficient force of attendants, discipline appears poor and personal attention seems even less than would be possible with the number of attendants provided. For instance, a male patient was found locked in his room, both bed and floor being in a foul condition, as well as the patient's person, but the door to the room was again locked without comment being made. Another man locked in his room was found nude on a mattress, the only article in the room; he was said to be dangerous and the door was opened with caution, but he responded to greeting with a smile and made no hostile move. Another secluded man was noisy and pounding on the window-sill with a tin cup, no effort being made to take it from him. A secluded woman had bits of food on the bed and smeared on her person, and every patient found secluded was either nude or partially so, while such cloth-

ing as they possessed was in most cases soiled. On all wards patients were allowed to roam about in a disorderly manner, attendants giving no heed, unless an altercation between them occurred. Many patients were barefooted, especially in the infirmaries, where bed patients wandered about in their night clothes, which in some instances were soiled. In the women's infirmary, with thirty beds, no attendant was seen for five minutes after entering the ward.

The boast is made that abuse of patients has been abolished here and it is true there appears no evidence of physical abuse, but the above clearly indicates neglect. It was said that restraint was rarely used and that half a dozen cases were a fair daily average for the number in seclusion. However, twenty-one patients were counted who were locked in their rooms, and when this fact was mentioned it was explained that to merely lock a patient in his room was not seclusion unless it was against the patient's will.

The clinical records are worthless from a psychiatric stand-point. Emphasis is laid on the physical findings, which, excellent though they be, do not render any the less regrettable the fact that in many instances no mental notes at all are deemed necessary. The modern classification of insanity is deemed undesirable. It is explained that the practicing physicians in the neighborhood are unfamiliar with it, and there is evidently no conception of the institution as a disseminator of psychiatric knowledge.

As contrasted with the conditions in the hospital, the almshouse is administered on a much higher plane. There is evidence that the inmates receive good personal attention, the general housekeeping is excellent, and the service departments are not only better arranged but better conducted. As the almshouse has never yet been filled to capacity, and in view of the excellent material conditions there obtaining, it would appear entirely feasible to provide accommodations elsewhere for the almshouse inmates, taking over this whole plant for the care of the insane. The defects of the institution as a whole are administrative rather than material. The more serious of the material defects, moreover, are remediable without undue expenditure.

INSTITUTION No. 33

Physical Conditions.—The insane live in the main almshouse building. The women occupy the second floor of one wing, with a few beds on the third floor, where some patients live with the pauper women. The men occupy the second and third floors of the opposite wing and have wards to themselves. The women's wards are provided with plants. The women are allowed to decorate their rooms with their personal possessions and they are not unattractive in appearance. The men's wards, however, are bare and bleak, possessing no decorative features whatsoever. Chairs and benches are both provided, but the latter predominate on the men's side. Throughout the building, interior repairs are needed, side walls and floors being broken in numerous places and paint generally is lacking. There is insufficient day space and the patients were generally found in their rooms. Toilet accommodations are insufficient, the plumbing is old, and much of it is concealed in the walls, but it is kept in good repair. While iron beds are used, they are poorly constructed and several were noticed with parts loose. Straw ticks are used, but the bedding is clean and the housekeeping generally good, especially on the women's side.

Although the pauper inmates and the insane have separate tables, they eat in the same dining-rooms, the children eating with the women. The dining-room appointments are crude, the dietary is stereotyped and bread and molasses with either tea or coffee form the staples for breakfast and supper; the food is apparently sufficient, however. The kitchen has little equipment. There is a general lack of fly-screens and flies were numerous on the occasion of the visit. Most of the service departments are in the basement, where light and air are deficient.

Raw sewage flows into a neighboring creek. There is fair fire protection, but there are no outside hydrants. Water pressure is obtained from an elevated water tower, filled by a single pump in the power-house, and the risk of depending on a single pump has caused the Directors to consider another pump near the water tower. An unnecessary fire risk arises from naked, natural gas flames in the men's toilet sections and in some of the basement service rooms.

The farm buildings are in fair condition, except a more or less

dilapidated piggery, which is too close to the main buildings. A new one is planned, however.

A good feature is a small frame structure for contagious diseases, erected largely by inmate labor at small expense. At the time of the visit no insane patients were here, but it was occupied by two tubercular and one syphilitic pauper. There are no other special medical facilities, however, and, of course, under the conditions, proper classification of the insane is impossible.

Administration.—There is an atmosphere of kindness here; the patients appear to receive an unusual amount of personal attention, and the care given, considered as custodial care only, is good. No seclusion is employed, as it is deemed worse than restraint. The latter has been reduced to a minimum, although it is occasionally employed at the discretion of the lay superintendent. The forms used include leather muffs, wristlets, and straps.

The visiting physician calls but three times a week, or as his presence may be deemed necessary by the superintendent. The medical work is limited to the alleviation of physical ills. No medical records are kept, the visiting physician frankly admitting that he cannot afford to keep any for the salary paid. While he passes on the patients' condition for discharge, the initiative proceeds from the superintendent.

A feature of unusual excellence is the manner in which occupation has been developed, the value of work as a therapeutic agent being here recognized and employed as such.

The matter of exercise for idle patients is emphasized, although unfortunately the exercise yards have the usual fence about them. The lack of recreation has evidently appealed to one of the Directors, as he is said to have agreed to furnish at his own expense several entertainments during the coming winter.

Alleged cases of insanity are brought here pending commitment, if they are not taken to jail. If brought here they are cared for with the committed cases without discrimination being made. The issue as to where commitment shall be made is determined by the Board of Poor Directors, although the lay superintendent's recommendation is often taken; the decision is not determined by medical considerations, the troublesomeness of the patient being the main feature considered.

While this institution must be ranked as one of the better

ones of its class, so far as administration is concerned this is untrue as to material conditions. Moreover, the insane receive no medical treatment directed to the cure or improvement of their mental condition, and the care given is pauper care. It would therefore appear desirable to remove the insane to a curative institution. The quarters now occupied by them could be well used by pauper inmates, some of whom now occupy a small detached building at the rear of the main building, which is much less desirable than the main building, even considering the latter's defects.

INSTITUTION NO. 34

Physical Conditions.—The insane occupy wings extending at right angles from either end of the almshouse building; there is a ward on each of two floors for each sex. The wards are in the form of narrow hallways with rooms on either side, and apart from a small day room on the ground floor, the only day space is in the halls and is, therefore, insufficient. In several of the patients' rooms the plaster has fallen. The windows have heavy, prison-like iron guards. The bed-rooms have no lights, although the doors are locked at night. The only toilet facilities provided at night are tin pots. Most of the doors to the patients' rooms are lined on the inside with tin and in several instances the side walls are so lined to prevent the patients from damaging the plaster. The wards are bare of decorative features and are unattractive in appearance.

The toilet facilities and the single bathtub provided for each sex are apparently sufficient for the small number of patients cared for, but the two tubs are also used by the pauper inmates of the almshouse, although on different days. There is but a single day-attendant for each sex, and on the occasion of the visit women patients were bathing without an attendant. No hot water safety device is provided.

The dining-rooms have windows on one side only and hence the light and ventilation are defective. The insane and pauper inmates eat in the same rooms, but at different tables. The food service is poor, although it is directed as well as possible by the single day-attendant on each side. The food is abundant, but lacks variety. Considerable food waste results from poor service and lack of proper supervision.

Natural gas burners are used, and while they are protected in the insane wards, naked flames were seen in the almshouse and in the basement beneath. This is supposed not to be dangerous, it being said: "Nothing is allowed to come near them that will burn." The steam radiators are in part protected, but those in the women's toilet section and in the dining-rooms are unscreened.

In general, the service departments are well conducted, their chief defect being lack of space and equipment.

The water supply is excellent and abundant. The sewage disposal is unsanitary, with raw sewage flowing into a neighboring creek.

A high iron picket fence surmounted by barbed wire encloses the exercise yard. A bare path worn in the earth about a tree in the yard where a patient mechanically trots day after day is an instance of misdirected energy, which under proper conditions could be rendered productive, again illustrating the futility of the attitude, which regards chronic cases as unworthy of special attention.

Aside from a crude operating room in the almshouse there are no special medical facilities. There is a sick dormitory for each sex, where the sick insane are taken, but these are no different from the other almshouse dormitories. The visiting physician calls regularly but once a week and medical treatment is directed only to the relief of physical ills.

Administration.—In addition to the single day-attendant for each sex, there is a male night-attendant who makes rounds through both the male and the female wards, the propriety of which is certainly open to question. Under the conditions patients are necessarily left alone much of the time, and it was during the absence from the ward of the attendant that a male patient committed suicide on April 4, 1913.

It was said there were no patients restrained or secluded on the day of the visit, the explanation being that troublesome patients were transferred to a State hospital. However, on making rounds a number of men were found locked in a small day room, while the attendant was shaving the other patients in another room at the opposite end of the ward. On the women's side, a woman was found locked in the day room, the attendant being busy elsewhere and it being regarded as unsafe to trust

such patient on the ward alone. It appears that the term seclusion is reserved for seclusion in patients' rooms only. The latter is at the discretion of the lay superintendent. Despite the present lack of restraint, the male attendant spoke of a violent case who last year succeeded in doing considerable damage, even after steel handcuffs had been put on him.

A patient's condition on discharge is determined by the lay superintendent, although it was said that he occasionally advises with the visiting physician.

The patients are committed here by the commission process; but the issue as to whether a patient shall be committed to a State hospital or to this institution is determined by the County Commissioners. While they assume to decide the question on the possibility of improvement and the need of active treatment, they, as laymen, receive no medical advice, except incidentally; and as a matter of practice there is reason to believe that the degree of troublesomeness manifested by the patients is a determining factor. The lay superintendent of this institution makes recommendation when such alleged cases are confined here and it was admitted that such recommendation was usually followed, as it is in the transfer of any committed case to a State hospital.

One County Commissioner asserted that all the insane patients at present in the institution had been returned from State hospitals as chronic, but it was learned from another source that this statement was true of but twelve patients out of the thirty-nine in residence. There is every reason to believe that there are at least several patients now here who could have been improved, if not cured, had they received active medical treatment.

The almshouse is overcrowded every winter and could use the insane wards to advantage, were the insane patients moved elsewhere, as conditions seem to render advisable.

INSTITUTION No. 35

Physical Conditions.—This, in most respects, is the best County hospital in the State, and it is significant that it is controlled by an independent, unsalaried Board of Trustees. There is but a single building, recently constructed, which, while presenting excellent features, also has some architectural defects. It more closely approaches actual fireproofing than is usual, and as features of unusual excellence may be mentioned: Sanitary

bubbling drinking fountains, a system of vacuum cleaning, vacuum tubes leading from every part of the building to the basement, plaster-lined linen shutes on every ward and drying closets of most modern character. The most serious architectural defect is the want of sufficient natural lighting, a large number of electric lights being necessary during the day.

An objectionable feature of the site is the almshouse in the foreground, while the hospital approach passes the almshouse out-buildings, including the hennery and the piggery. A serious lack is the want of acreage, hospital being allowed only the land immediately about the building, which has been set apart for its use out of the entire County property, the remainder of which is regarded as belonging to the almshouse.

There are but two wards for each sex, so little classification is possible. The patients mingle in the single large day room found on each ward. A modern feature is the heavy wire window-screens used in place of the usual heavy iron bars. Porch space is provided, including enclosed porches, which afford partial isolation for tubercular cases.

The result of housing disturbed patients in a single day room was seen on the day of the visit; although on entering the disturbed ward it was found comparatively quiet, one patient suddenly began to scream and in a moment the whole ward was in an uproar. An effort is made to overcome this difficulty by placing benches in a hollow square, so that the more disturbed patients can be kept apart.

The toilet facilities are excellent, the plumbing being of the most modern type. However there are no hot-water safety devices. In general, the ventilation is good, a special ventilating system being provided. It is, nevertheless, deficient in the dining-rooms, where the natural lighting is also poor.

The dining-rooms possess an archaic feature in permanently fastened revolving chairs, although the other facilities are excellent. It was admitted that such chairs occasioned difficulty in sweeping and cleaning the room and also when it became necessary to remove an epileptic seized with a convulsion.

The kitchen is excellent except for its location in the basement. The grooves in the concrete floor render cleaning somewhat difficult. For the want of other available space, the service departments generally are likewise in the basement, where the

light and air are deficient. An unnecessary fire risk is involved in the storage of lubricating oil and kerosene in the carpenter shop.

The power-house is the only service facility used in conjunction with the almshouse, it being under the direction of the almshouse steward. When the hospital was built an addition was constructed to the power-house, but it is too small, it being necessary to place the air compressors and pumps so close to the boilers that the bearings of the former must necessarily be injured. The lack of proper natural lighting renders the electrical load heavier than would otherwise be necessary.

Continuous baths are provided, but they are poorly located in that a single one is on each ward, so a single attendant has to be detailed to each, and hence it is never possible to use more than one or two at a time. There is no other hydrotherapeutic apparatus. A modern operating room is provided, adjoining which a small clinical laboratory has recently been fitted up; it is unfortunate that the sterilizing apparatus was not placed in an available anteroom instead of in the operating room itself. Adjoining are two excellent modern hospital wards intended for the respective sexes, but as yet unused except for sick attendants. At present, special dormitories on the wards proper are reserved for sick cases and for new patients.

There is an excellent amusement hall and chapel with a grand piano purchased by the Board of Trustees, and the attention paid to recreation is most commendable.

Administration.—An atmosphere of kindness prevails. The patients receive good personal attention, and for the most part were found in a neat and tidy condition.

Restraint and seclusion can only be used on the physician's order,—the amount employed is larger than will ultimately be the case, as there is at present an undue proportion of disturbed cases, due to transfers from other institutions, when the hospital was opened less than a year ago. Another factor is the inexperience of the attendants, likewise due to the youth of the institution.

A fair percentage of the patients are employed, especially when the great lack of occupational opportunity is considered. There are as yet no occupational classes, but it is planned to establish some in the near future. Special attention is given the matter

of exercise, and this is one of the few County institutions where an enclosed exercise yard is deemed unnecessary. Special opportunity is given for exercise of the indoor workers.

The medical work is satisfactory, so far as the facilities permit, and this is the only County hospital for the insane where there is any medical treatment for the relief of mental diseases as such. The medical records are above the average. While there is no pathological work as yet, it is to be undertaken shortly.

In general, a progressive spirit is manifest, and it is very evident that the local officers and the Board of Trustees work in harmony, with the best interests of the patients and of the institution as their sole aim.

The proximity of the almshouse to the hospital is objectionable, as under similar circumstances elsewhere. Most of the buildings of the former could be remodeled at comparatively small expense, for certain classes of the insane, and could this whole plant be utilized as an insane hospital, the chief defects of the present hospital would be at once eliminated, *i. e.*, lack of opportunity for classification and occupation, especially outdoor work. The best of the almshouse buildings, the almshouse hospital building, is unusually well arranged for an infirmary unit and would require no alterations except minor repairs. The other almshouse buildings, while less satisfactory, present no unsurmountable obstacles preventing their use for the insane. As this institution is located near a center of population, it would appear most desirable to provide accommodations for the almshouse elsewhere and utilize the entire plant for the insane.

INSTITUTION No. 36

Physical Conditions.—Separate buildings are provided for the male and the female insane, respectively, both located at the rear of the almshouse. The men's building is of recent construction and is practically fireproof, but is poorly designed for its purpose. There is but a single ward on each of the two floors, so little opportunity is afforded for classification. It is provided with inside stone stairways in lieu of fire escapes, which, however, lead to the basement only. In the original plan, no provisions were made for a dining-room, so a basement room is used, where the light and air are both defective. To reach this dining-room food is carried in tin wash-boilers across an open yard to a base-

ment passageway. No provision originally made for employees and hence makeshift arrangements are now necessary. The halls are narrow; inside iron-barred window guards emphasize the idea of restraint, and despite the fact that the building is comparatively new, the side walls are cracked to some extent and in several places the ceiling plaster has fallen; the toilet facilities are insufficient for the number of patients, especially wash-basins.

The women's building is older and even less satisfactory, save that it has a better dining-room. There are numerous narrow dark passageways, the walls are still more cracked, and paint is generally needed. The toilet accommodations are also less satisfactory than in the men's building, being limited in amount, while the plumbing is old and unsanitary. Despite adverse conditions, the housekeeping is excellent throughout the institution.

The fire protection is defective, especially in the women's building; there is an elevated water tank to afford gravity water pressure, but it is filled by a single pump, so, in case of accident to the latter, the institution would be without water protection. There is no fire fighting apparatus of any description in the men's building. In the women's building there is a small hose with standpipes, but as the latter connect only with small attic tanks filled by rain-water, they afford meager protection. There are three outside fire-escapes, but the approach to one from the third floor is by a window shut off by permanently fastened iron window guards.

The service departments are well conducted, but in most instances space and proper equipment are lacking. The laundry is poorly located in a detached building, in front of the building for women patients.

The farm buildings are old and generally dilapidated. An old, unsanitary, frame piggery is located within three hundred yards of the women's building. It was said that the Board of Poor Directors at one time planned to build a new piggery, following the condemnation of the present one by the Grand Jury, but it was finally determined to defer the matter for another year.

An exercise yard is provided for each sex. The one for men is enclosed with wire screening and is of good size but lacks any seating facilities. The one for women is too small, there are no shade trees, the most of the grass has been worn off, and it is a

most desolate appearing spot; it is enclosed by an old, unpainted, high board fence, which completely shuts off the view. This yard also lacks seating facilities, and when seen patients were crowded together on the ground or were restlessly pacing back and forth. The local authorities plan a larger exercise yard for the women, but unfortunately they consider it necessary to erect a high concrete wall about it.

There is a surgical operating room, poorly located at one side of the entrance to the administrative office in the men's building, but otherwise there is an entire lack of special medical facilities.

Administration.—The superintendent, who is a physician, has charge of the adjoining almshouse, and there being no steward, his time is largely occupied with business and administrative details, so the medical work is directed only to the relief of physical conditions. During his tenure of office he has made a considerable number of material improvements, and has more planned. He has also introduced greatly improved business methods, especially in the matter of purchases and the checking of supplies.

With but few exceptions, the patients present a tidy appearance, and they apparently receive as much personal attention as is possible with the limited number of attendants. As evidence of this may be cited the excellent results attending the effort made to reduce restraint and seclusion to a minimum, especially commendable in view of the absence of hydrotherapy. One patient admitted here from another hospital is said to have been restrained for several months prior to the transfer, but by means of special personal attention such patient has never been restrained here and has recently been induced to do some work.

There is a fair percentage of the patients occupied, but there are no special occupational classes. There is little opportunity for recreation, but emphasis is placed on the matter of exercise.

Two of the women patients have with them their illegitimate children, one fourteen months old and the other eighteen months old. Both children accompanied the mothers when the latter were admitted, although nothing was said about the children in the commitment papers. In one case the infant's maternal grandmother is also a patient, and although considerably demented, was seen holding the child as she sat on the steps leading to the exercise yard, while all about were the other women pa-

tients, some of whom were restless and talkative. The local authorities have no idea as to what disposition will be made of the children, although they hope to make other arrangements soon.

One woman patient was described as a moral imbecile, and certain it is she fails to present any evidence of insanity; she has had five illegitimate children, and is regarded as utterly incorrigible, which appears to be the only basis upon which her commitment as insane rests.

The Board of Poor Directors are perhaps too economically inclined, and it was only with much difficulty that they were finally convinced of the necessity of painting the women's building, although it had not been painted for fourteen years. However, the Board is said to be of a higher caliber than former Boards. It is said that a former Director once vigorously protested against any expenditure for bathtubs, arguing that as he had none in his own house he did not see why the County institution should be so equipped.

The care given is necessarily custodial care only, and as the buildings here are so unsatisfactory for the insane, it would seem desirable to remove such patients to a medical institution. Should such course be followed, the almshouse inmates could use the new building occupied by the male insane, as neither the building for the women insane nor the almshouse building is worth the extensive and expensive repairs required to render them satisfactory.

INSTITUTION NO. 37

Physical Conditions.—A wing extends at right angles from either end of the almshouse for the respective sexes of the insane; however, the insane occupy only the first and second floors, the third being used by paupers. The wards are short halls with rooms on either side and a small day room at one end. None of the patients' rooms are sufficiently large to properly accommodate more than two beds, but some contain three and four. The side walls are cracked and broken, the bare board floors are worn, paint is everywhere needed, and in the absence of any decorative features whatever, the wards present a most bare and desolate appearance. There is little furniture, a ward for twenty patients having only three benches and a table, while another ward has benches, but no table.

Most of the beds are of iron, but there are a few wooden ones, which it is hoped to replace when funds are available. There are no service or supply closets, the ones in the almshouse proper alone being available. All the toilet facilities are in a large open room; there should be at least twice as many toilet hoppers provided and four times as many wash-basins, considering the number of patients using them. Dependence is placed on natural ventilation only, and it is particularly poor in the toilet sections.

The steam radiators are about to be covered with protecting screens. Such protection was first recommended by the State Committee on Lunacy eight years ago.

The pauper inmates and the insane eat in the same dining-rooms and at the same tables; stools without backs are used and the dining-room appointments are meager and crude. The dining-rooms are as cheerless in appearance as the wards. The kitchen has a board floor broken in at least one place, while the walls and ceilings are smoked, stained, and scratched. A limited equipment renders it impossible to cook the whole of a single meal at once, and as both meat and soup were served for the meal inspected, the meat was placed on the table while the soup was being prepared in the same kettle in which the meat had been cooked, so the latter was cold by the time the patients entered. Although the food appears sufficient in amount, it is of the usual stereotyped variety; breakfasts and suppers are practically the same, the staples being bread, either with or without butter, molasses, and coffee. In summer, however, it is sometimes possible to add for supper only, a tomato, a potato, beans or ginger bread.

The service departments are for the most part in the basement, and considering the character of the institution have a fair equipment and appear well conducted.

The sewage flows untreated into a creek about five hundred feet from the main entrance.

The fire protection is poor, there being practically none for the insane wards, as the single entrance to each ward is from an almshouse hallway and while the hose in the almshouse is sufficient to reach such entrances, it reaches no further. Even this hose was found in disorder, being uncoiled, and it was admitted it had not been tested "for a long while." There are only inside

wooden stairways in the almshouse, and but a single outside fire-escape at one end. There are no outside hydrants.

There is, of course, no proper classification, with but two wards for each sex.

An exercise yard for each sex is provided, each being enclosed by a plain high board fence. But a single bench was seen in the women's yard and none in the men's yard, so most of the patients sit or lie about on the ground. There is but a single shade tree in the women's yard, and neither shade nor shelter in the men's yard. In the latter are numerous paths worn in the earth by the pacing back and forth of the patients.

Administration.—Personal attention is necessarily limited, there never being more than a single attendant on day duty for each ward. With regular time allowance off duty, and with the necessity of the attendants for the insane assisting with the almshouse work, the wards are left alone much of the time. The patients are locked in their rooms at night, but only since July, 1914, has there been a male and a female night-attendant employed. They now make rounds at intervals during the night through both the insane wards and the almshouse, but they do not open the doors of the patients' rooms except in special cases. The cause of the recent employment of the night-attendants was a suicide during the month mentioned. It appears a woman patient was admitted in a disturbed state, and was not only locked in her room at night, but was left in restraint. When her room was entered in the morning, it was found that she had succeeded in freeing herself from the restraint and had hung herself with the bed sheet. She was still alive when found, but died a few hours later.

Another instance which can justly be attributed to the lack of a sufficient number of attendants was the suicide in January, 1914, of a woman inmate of the almshouse who jumped from a third-story window.

In most instances, especially on the male side, the patients' clothing was found disordered, unbuttoned, and in some instances torn, although it should be added it was in the majority of instances clean. In three instances observed on the male wards, the patients' flesh showed through the torn garment, there being no evidence of underwear. Several instances were noted of patients with shoes, but without stockings or socks: some men

wore socks, but had no shoes. One woman was seen eating dinner in the dining-room while barefooted, and later six male patients were seen in the exercise yard in a similar condition. Here also was found a patient admitted on the day of the visit seated alone on the ground in his shirt-sleeves, having received no special attention.

On the occasion of the visit, two women were constantly secluded because of their restless and untidy tendencies. Both cases are defectives without evidence of insanity. No cases were in restraint, it being explained that disturbed patients are at once transferred to other institutions. Should a new case become violent it is the practice to strap the patient to the bed with leather straps about the arms and legs, or in the discretion of the lay superintendent, a strait-jacket may be employed.

While the superintendent is active and apparently anxious to do the best possible for the patients, his idea of the care of the insane is evinced by the question: "What is the best form of restraint?" It appears unfortunate that he should be regarded as specially qualified for the care of the insane by reason of experience obtained as turnkey in the County jail, where he was obliged to care for a certain number of insane persons.

The practice exists here of employing paupers in preference to the insane and such of the latter as are occupied are the willing workers only, there being no occupational training. There is a lack of recreation and the patients lead a drab, colorless existence.

There is an entire lack of special medical facilities, an ordinary dormitory being set apart in the almshouse for sick cases; here the physically sick among the insane are cared for, while the practice also exists of placing uncommitted paupers in the insane wards, if, in the judgment of the local authorities, special circumstances render it advisable. Throughout the institution there is no distinction made in the care of the almshouse inmates and the insane. They eat together, wear the same clothes, and receive the same limited amount of personal attention. As was stated: "There is no favoritism here; everybody, whether insane or a pauper, is treated alike."

This institution has evidently suffered from being subjected to political influences, although it was said such influences are now less active than formerly. That there has been some local recognition of defective conditions is evinced by the plans made

for a new County insane hospital, but a dispute having arisen among the local authorities, no action is considered probable in the near future.

The custodial care here given is below even the usual standard of County institutions, and as a mere matter of humanity the insane patients should be removed at the earliest possible moment. In recognition of existing conditions State aid has been withheld for the time being by recommendation of the State Board of Charities.

GENERAL CONSIDERATIONS OF COUNTY INSTITUTIONS FOR THE INSANE

In reviewing this group of institutions, the most striking feature is the close association maintained between the institutions for the insane and almshouses, in some instances both the insane and paupers being cared for in the same building, and in a few cases in the same ward: the inevitable result is that the care of the insane tends to the almshouse standard, and, indeed, in some places an effort is made to provide exactly the same type of care for both. Hence it is not surprising that one finds the practice common of caring for the insane in the almshouses proper or the uncommitted almshouse inmates in the insane departments, when in the judgment of local authorities circumstances appear to render it advisable.

In numerous instances the material conditions should be remedied for the care of any class of dependents, insane or otherwise, especially as regards unsanitary sewage disposal and the woefully inadequate fire protection so often found.

As a result of the existing system, in these institutions custodial care is generally substituted for active remedial treatment directed to the improvement or the recovery of the insane as such. As a rule, the medical treatment for physical ills is satisfactory, although such is not invariably the case. With but few exceptions, the County institutions have no special medical facilities, nor can it be expected that such facilities can be provided under present conditions, for, with the comparatively small number of patients treated in the respective institutions, such provisions would require a prohibitive per capita expense; but as a result of such lack of facilities, mechanical means of restraint and confinement are substituted for proper personal treatment and

attention. With but a limited number of attendants, enclosed exercise yards and personal restraint and seclusion must inevitably result. Under existing conditions, one cannot blame the caretakers of the insane for resorting to such means, for while restraint and seclusion can and should be abolished, they cannot be successfully abolished without the substitution of other means of dealing with the disturbed insane, such as hydrotherapy, occupational training, and close personal supervision. In this connection it is agreeable to note that little evidence was obtained of actual physical abuse, but that gross neglect exists is indisputable.

That the theory of County hospitals for the chronic insane only does not obtain in actual practice is but a necessary result of the prevailing custom of determining the question as to whether a patient shall be committed to a State hospital or to a County hospital, regardless of prognosis or medical issues, in many instances the decision being made by local lay authorities without medical advice. It is certain that many acute cases have lapsed into chronicity in the County hospitals simply for lack of proper treatment. Dreary, desolate wards, lack of recreation, or other means of exciting or maintaining active interest are alone sufficient not only to hinder improvement or recovery, but must necessarily result in actually hastening the terminal process of deterioration.

UNLICENSED ALMSHOUSES CARING FOR THE INSANE NOS. 38-48

General Statistics.—

<i>Institution No.</i>	<i>Insane Inmates</i>
38.....	36 (34 committed)
39.....	2
40.....	9
41.....	2
42.....	1
43.....	3
44.....	6
45.....	6
46.....	8
47.....	2
48.....	7
Total insane.....	82

None of these institutions is apparently deemed worthy by the State Board of Charities to receive State aid and, accordingly,

none is licensed, yet three have locally recognized insane departments, while in the others the number of inmates above indicated were found actually insane, although cared for without discrimination with the other paupers. Excepting only the thirty-four inmates indicated, none has ever been committed. In addition to the insane, one hundred and ninety-six defectives were found, ranging from the lowest grade idiots to high-grade imbeciles. There are also a large number of dotards; thirty-three children were found; while in one almshouse the conglomerate mass of humanity was found increased by the practice of the courts in committing thereto incorrigible girls.

INSTITUTION No. 38

There is a separate building for the insane located at the rear of the almshouse proper. It is partly brick and partly frame; the sexes are divided by central partitions, and while the communicating doors are said to be kept locked, one at least was found open. The ceilings are low; the floors and in some instances the side walls need repair. Dark, narrow passageways are numerous. The stairs are dark, winding, and of wooden construction. The windows are guarded outside by heavy iron bars set in the brickwork and inside by closely woven, heavy wire screens. The ventilation is poor, especially in the small, dark toilet sections, all crude in the extreme and in a most unsanitary state. Bathing facilities likewise are primitive. All the rooms are bare, desolate, and with a prison-like appearance, produced by the iron bars at the windows and in the doors of the so-called "strong rooms." Straw or husk bed-ticks are used, but the bedding, while coarse, is fairly clean. The fire risk is great and fire, at night especially, would inevitably mean loss of life. Lighting is by kerosene lamps; there are no fire-escapes, hose or standpipes. One of the inside stairways has been removed and the stair well used for stores, while a wooden ventilating flue extends to the roof from the second floor, and both would act as flues in case of fire. With windows guarded with iron bars, the patients are locked in their rooms at night, and left without any night-attendant, while the day-attendants sleep in an adjoining building, it being explained that after the patients are locked in their rooms at night "they can't make any trouble." A year ago a barn was burned, resulting in total loss, although an

outside hydrant stands much nearer to its site than to the building for the insane. The radiators are unprotected; an epileptic girl was seriously burned on one some time ago, but no action was taken to correct this condition.

The basement dining-room is dark, ill ventilated, and with a broken concrete floor. The men and women eat together, although at separate tables. There are but a few agateware dishes, and the food service is crude and haphazard. All the service departments are in extremely poor condition. The sewage flows untreated into a neighboring creek, but below the point where part of the water supply is obtained. Litigation is said to have resulted from the County Commissioners' failure to adopt the recommendation of the State Board of Health regarding the sewage disposal.

In many respects the farm buildings are in better condition than the interior of the building for the insane.

There is little personal attention, the only attendants being a married couple, who care for the respective sexes. One patient was seen with finger-nails half an inch long. The clothing was generally disordered and, in some instances, torn. In one case bed-ticking was used as suiting. While no patients were restrained or secluded on the day of the visit, a woman had been shortly released from a strait-jacket after three months' confinement, her poor physical condition suggesting that this might account for the fact that she was fairly quiet when seen. The institution is provided with handcuffs and leather wristlets, but seclusion is more used. The "strong rooms" are inside, have but a single window opening on an inside passage, and are so dark that it is impossible to see across them when looking through the iron bars of the doors. Medical treatment of even physical ills is limited, the visiting physician calling but twice a week, or when the male attendant, who was formerly a driver, deems his presence necessary. The attendant has full authority to discharge any insane patient that he deems fit.

It is considered necessary here that the exercise yards be enclosed, and from \$1300 to \$1400 is to be spent for a steel fence, replacing an old fence recently blown down, and for a concrete floor for the yard; meanwhile the patients are not allowed to exercise out-of-doors unless they are paroled patients. No opportunity is afforded for classification, all types mingling to-

gether and the two sexes mingling in going to and from the dining-room. There are no recreations, no religious services, and the patients lead a dull, monotonous, mechanical existence.

INSTITUTION NO. 39

Most defective material conditions exist here, even for an almshouse. The main building is four stories high, and although kerosene lamps are the only illuminant there is no fire protection. The only water supply is from an outdoor hand-pump, an attic tank and a ground cistern, the latter two being filled only by rain and both dry at time of visit, so that the weekly washing had been postponed for lack of water. The heating facilities are insufficient. The only toilet facilities are crude—ground vaults in outside sheds. Bathing facilities are equally primitive. Several old portable iron tubs were seen in various parts of the institution; one partly filled with rubbish, one turned upside down, and none showing evidence of recent use; if used, the water must be carried by hand, all hot water being obtained from the kitchen stove. Under the circumstances, it is perhaps not surprising that there was reason to believe that at least some of the inmates had not been recently bathed. Straw or chaff bed-ticks are used, but though coarse, the bedding was clean. Empty tin cans are used beneath the bed legs to protect the floor.

A small, single-story, detached building is known as the "mad-house," and is in charge of an imbecile inmate. The yard about this building is enclosed by a rough, whitewashed board fence, and contains the usual ground vault toilet, with an old rusted iron bathtub, in an old shed of unpainted boards. This building is in worse condition than the main one and rubbish was everywhere in evidence, papers, sticks and boxes being scattered indoors and outdoors, while the beds and bedding were dirty and disordered. It is heated by an old battered coal stove. A few broken chairs and a bare table constitute the only furniture. There are several small cell-like rooms, with no outside windows, formed by whitewashed board partitions and with the upper half of the doors set with whitewashed, wooden slats.

The steward and his wife, the matron, are the only inside employees, so that the inmates can receive little personal attention. In the "mad-house," aside from the imbecile in charge, two male idiots were found, an epileptic dement, and an advanced paretic;

the latter two were in bed, although fully dressed, even to their shoes. The parietic was found in one of the small, unlighted rooms, because, it was said, of his untidy habits, and he was in a state of personal uncleanness when seen.

While primarily for men, the "mad-house," being the only available place in which to segregate mental cases, it was necessary recently to confine an epileptic girl there when she became excited following convulsions. She was restrained with handcuffs and locked in one of the small rooms, despite the presence of male inmates in the adjoining small rooms, it being remembered that the upper halves of the doors are provided with open slats. Her cries and screams are said to have been so constant and so loud that she disturbed not only everybody in the "mad-house," but in the main building, some distance away. Her hands became much swollen in her effort to break down the door, and scars from the handcuffs were perceptible at the time of the visit.

The separation of the sexes is poor. While the male and the female inmates live on opposite sides of the main building, the doors open directly from one side to the other and women inmates were found doing the housework on the male side, with some of the men still on the ward, although no employee was present.

An hallucinatory woman lives with the other inmates, receiving no special attention. There is little medical attention, the visiting physician only responding as the steward, a former tanner, deems necessary. The practice of the County of purchasing morphine for two morphine habitués is at least of questionable propriety.

INSTITUTION No. 40

This institution is housed in two old buildings, one erected in 1800 and the other in 1855. The board floors are worn and broken, the plaster is cracked, smoked, and has fallen off in places, while the woodwork is almost devoid of paint and the buildings generally are in a dilapidated condition. They have been condemned by several grand juries, but only recently was an option obtained on a site for a new institution. However, a factional, political fight has developed, and it appears probable that no improvement in conditions can be expected in the near future.

Part of two dark hallways, with rooms on either side, are each reserved as a so-called "insane ward." They are shut off from

the remainder of the halls by partitions of turned wood bars. On one side of each hall is a bare room with a board table and backless wooden benches which serves for a dining-room. All the appointments are meager and crude. Opposite each such dining-room is a toilet section, with a slop sink in lieu of a wash-basin. All the toilet facilities are old, worn, and unsanitary, and they are insufficient in number.

The fire protection is especially poor, and loss of life appears inevitable in case of fire. The sewage flows untreated into a creek less than three hundred yards from the buildings.

In spite of these distressing material conditions, it is a pleasure to note the prevalence of a spirit of kindness and as much personal attention as is possible with a single attendant for each of the two "insane wards." Nevertheless, it would be difficult to imagine a picture more dismal than is presented by the poorly lighted, bare, and dilapidated wards with patients sitting idly on benches ranged on either side, where they spend most of their waking hours. Aside from the actual insane inmates in the "insane wards," there are twenty-one idiots and imbeciles confined there. There is poor separation of the sexes whenever inmates leave the wards, and on such account the presence of a sixteen-year-old girl imbecile, who is extremely erotic, and who has had a child following incestuous relations, is a distinct menace.

This institution is wholly unfit for the care of any class of dependent human beings.

INSTITUTION NO. 41

The material conditions here are defective, even for sane paupers. A so-called "bull pen" is a locked dormitory where eight inmates were found, one nude, and all in a state of personal uncleanness. The air was heavy with the odor of a deodorizing agent, it being said that otherwise it would be impossible to remain in the room. The fire risk is great, despite which inmates are allowed to smoke on the second floor.

Cases of alleged insanity are brought here pending commitment, but the two cases now here have never been committed and as they are quiet are treated as the other inmates.

The only provisions for the insane are so-called "cells," three of which are located in the basement and are no longer used. The latter are heavily barred with iron bars over a single high base-

ment window; are provided with heavy double doors which open into the cellar, while the walls are of stone construction. A single winding wooden stairway leads from the cellar to the floor above, so it would appear that the fire risk alone should have prevented their construction.

The cells now used for the insane are rooms set apart in the almshouse proper; each has a single window, heavily guarded by inside iron bars, while a "strong cell" has also iron bars outside the window. Heavy double doors are provided, the inner one being heavily bound with iron braces; they have an aperture in the center with an inside shelf, where food is placed by the pauper inmate, who alone cares for the insane patients. The cells have no furnishings except a mattress and a blanket thrown on the floor, except in a single instance, where a small cot is provided. A tin bucket is the only toilet convenience. As there is but one cell on the women's side, it occasionally happens that women are placed in the men's cells, and it was said that male paupers have used the door aperture to inspect the insane women.

The pauper assigned to care for the male insane is a cripple, and is physically unable to cope with an excited case, but if he deems it necessary to enter the cell of an excited patient he calls to his aid a sufficient number of other inmates to subdue the patient by force of numbers. There are no bathing facilities, and while it was not admitted that insane patients never bathe, the informant remarked: "You can form your own conclusions." He added: "If they are not insane when they come here, this place will make them so."

All alleged cases of insanity are locked in cells, because the local authorities do not feel that they can afford to take chances, since a case committed suicide several years ago and there have been several attempts since. While cases are sometimes committed and removed within a week, it was said that if they have no friends to secure a lawyer to hasten proceedings, "They lay here the limit," and have been locked in a cell for as long as two months without once leaving it.

The visiting physician has no responsibility for the insane, except as his attention may be called to them by the steward for the care of physical ills.

The situation is made worse by the fact that within less than fifteen miles is a State hospital, where, with excellent natural

advantages and good material conditions, only such insane can be received as are regarded as chronic and who are transferred from other institutions for the insane. If the State hospital were allowed to receive new admissions from the surrounding community, the above conditions would soon cease to exist, simply from lack of necessity. A better illustration could not be presented of the results attending the lack of a general policy governing the State as a whole than the existence side by side, within a few miles of each other of such extremes in standards of care.

INSTITUTION No. 42

This is an almshouse of the better type and, in general, for an almshouse, the physical conditions are satisfactory. But a single insane patient was found among the inmates and only rarely are patients brought here pending commitment. There is a single cell provided in the basement for the violent insane, which, however, is said not to have been used for about a year. It has a single, small, high, basement window, with a small grated aperture in the center of a solid wooden door. It is so dark that one cannot see across it through the open doorway. It is padded, both as to floor and side walls, and is devoid of furnishings of any kind. The reason for alleged cases not having been brought here recently is that they are more frequently taken to the County jail.

INSTITUTION No. 43

This is the smallest almshouse visited, being maintained by a special, small Poor District. No cases of insanity, as such, are ever brought here, but three women inmates were found presenting definite evidence of insanity. All were unattended in their rooms. One was restless, walking up and down, talking to herself, and rubbing her face and neck, upon which were numerous abraded areas thus produced.

INSTITUTION No. 44

This is one of the better almshouses, and except that the buildings show age, the physical conditions are satisfactory for almshouse inmates. Few cases of alleged insanity are brought here and none are supposed to be here at present, although six cases were found presenting definite evidence of insanity. The prac-

tice of keeping the alleged insane here has only ceased since the opening of a State hospital in the vicinity, since which time direct commitments from homes are usual. Thus is shown the benefit to a community of a modern hospital for the insane.

There are four so-called cells for the insane, which, since the practice of bringing insane patients here has largely ceased, are used for the punishment of inmates. They are ordinary rooms with iron-barred windows, and an open toilet hopper in one corner, and while two have ordinary wooden doors, substituted at the steward's initiative for the original open iron-barred doors, the latter still remain on the other two cells. When occupied, the doors are kept locked, food being passed through an opening in the iron grating.

INSTITUTION NO. 45

This is another almshouse with fairly good physical conditions for the care of paupers. No cases of insanity are supposed to be kept here, nor have any alleged cases been sent here for observation for some years. However, six cases were found presenting definite evidence of insanity, aside from deterioration, which is present in a large number; most of these cases have persecutory ideas, thus rendering them a source of annoyance to the other inmates. One involuntional case remains mute for days, when she breaks forth into loud wailings and moanings, which she keeps up incessantly for long periods. At such times she is locked in a cell, and although such treatment is said to quiet her within twenty-four hours, it is difficult to understand how this result is effected, except by exhaustion.

The cell mentioned is located in a basement against a hillside; there is a single, small, high window about 10 x 18 inches opening on a narrow shaft and hence both light and ventilation are very poor. It is so dark that little of the interior can be seen by looking through the iron-barred door which opens on a narrow passageway. There are no toilet facilities and the cell is bare of furnishings. As it was remarked: "They dread the locked door." A further remark illustrates the prevailing punitive idea: "You have to show them who is boss."

Tubercular cases are received here, as in most of the other almshouses, none of which have proper facilities for isolation.

INSTITUTION No. 46

For the most part, the material conditions are fairly good for almshouse purposes, in many respects being above the usual almshouse standard. This applies especially to the service departments, farm, etc.

Alleged cases of insanity are brought here pending commitment, but the insane inmates now here are regarded and treated like all the other inmates. Up to a year ago disturbed insane patients were confined in a steel cage formed of flat steel bars arranged in a lattice-work. This, located in the basement, is divided into two compartments by a blank partition, so that two persons can be confined at once, and in the past even patients of the opposite sex are said to have thus been confined together. The use of the cage is now deemed inhumane, it being used now only to punish refractory pauper inmates. The disturbed insane are now confined in a cell, which is merely a cellar room with whitewashed brick walls on three sides and a board partition on the fourth side. It is at least two-thirds below the ground level, with a single, small, high, basement window covered with heavy wire grating. The room is of good size, but is damp, and there is no ventilation, with the door and window closed. It is provided with a single exposed electric-light globe, which can be reached by a patient standing on the bed, and when this fact was pointed out the superintendent remarked that it was fortunate a suicidal patient confined here last winter had not used the globe in a suicidal effort. A bed and a bucket for toilet facilities constitute the only furnishings. There is a door of iron grating, with a heavy, solid, wooden door outside. Both doors are locked when the cell is occupied "to shut out the noise." While it does appear that the cell is slightly less objectionable than the steel cage, yet it is anomalous that it should be regarded as an advance in the humane treatment of the insane.

One of the insane women now here becomes talkative and disturbed at intervals, so it is thought it will eventually be necessary to commit her; but the others are quiet and no such action is probable in their cases. One of the women defectives has a child, the father of whom is a vagrant, formerly an inmate.

INSTITUTION No. 47

This almshouse is satisfactory for the care of pauper inmates. No insane are supposed to be kept here and but two insane cases were found. Through the efforts of a progressive visiting physician cases of alleged insanity are rarely brought here pending commitment, although two women were committed from here during the past year, one after a month and the other after two months' residence; as they were quiet they were allowed to mingle with the other inmates, receiving no special attention.

Formerly when it has been necessary to care for disturbed insane, the women have been locked in a narrow hallway outside the bath and toilet rooms, all doors opening on which are of heavy, solid, wooden construction. This hallway is short, has a single window, with an inside, heavy, solid wooden shutter, which it has been customary to close when patients were placed here. Although artificial light is provided, no ventilation is possible under such conditions. This hallway, being the only means of reaching the toilet and bathroom, has had to be traversed when patients wish to reach the latter, thus disturbing the insane inmate here confined.

On the men's side there is a special room for insane cases, which has been finished off with wooden boards covering the entire side walls. It has a single window, inside of which is a solid, heavy, wooden shutter. The door is constructed of wire grating, covered on the outside with a layer of boards. With the door and shutter shut, there is no ventilation. It is a pleasure to note that the steward stated he would only use this room and the hallway in case of extreme necessity.

INSTITUTION No. 48

The material conditions here are satisfactory for an almshouse. Although this institution is supposed to have no insane, the local authorities recognize the insanity of the insane persons found among the inmates, it being explained that so long as the insane are quiet and inoffensive it is customary to keep them here, regardless of mental symptoms, as the County thereby saves the extra expense involved in their maintenance in a State hospital. However, when one becomes noisy or troublesome, commitment follows. One such case had an incised wound, the result of striking his head on a washbowl, when, in a fit of anger,

he declared he would kill himself, and it is felt that this individual may shortly have to be committed.

Five of the defective women inmates have borne children, although but two are married, and their husbands have deserted. One has her child with her. A male sane inmate was seen bringing in a basket of potatoes, although his nose was partly eaten away with carcinoma and there was no dressing upon it.

Alleged cases of insanity are brought here pending commitment. When disturbed they are kept in so-called cell rooms, there being four for the men and three for the women. The men's rooms are ordinary rooms, but have tile floors; each has an outside window covered with a close iron-bar mesh-work, with an inside door of similar construction, outside of which is a heavy, solid, wooden door. Both doors are kept locked when the rooms are in use. The women's cell rooms are inside, with no opening other than the door, and hence are dark and poorly ventilated. The side walls are finished with boards; the doors are of heavy, wooden construction, with a central aperture covered with straight, heavy, iron bars. The rooms are heated only from the hallways. The only toilet facilities provided are small vessels. On the day of the visit but one cell was occupied and that by a male, restless, deteriorated epileptic.

While unused, two so-called "standing cells" are an interesting relic of the past; they are merely two small closets, just large enough for an adult to stand erect in with the door closed. If a person once sank down, it would thus be impossible to again assume an erect posture; it was admitted that the quieting effect of such confinement could only have resulted from exhaustion, and it was said that their manifest barbarity caused their abandonment.

SUMMARY OF UNLICENSED ALMSHOUSES

In reviewing this group of almshouses it may be said that, while the majority provide fair material conditions for paupers, even that is not true of all of them, and none have any proper means of caring for the insane. Despite this fact, three of them have locally recognized insane departments. None of the local authorities have any idea as to what constitutes proper treatment for the insane, and there can be no doubt that many insane patients have failed of recovery, even if some alleged cases of

insanity have not been rendered actually insane, by the barbarous treatment to which they have been subjected. In such category may be mentioned seclusion for long periods in dark and unwholesome cells, in some instances cared for only by pauper inmates, and often deprived of even the most common and most necessary conveniences of life. Treated more as wild animals than as unfortunate human beings entitled to every consideration and sympathy, they constitute a class of individuals for whom no possible future misfortune can have any terrors.

Fortunately the number of the insane in the almshouses is comparatively small, but so long as Counties act independently in caring for this dependent class, so long will there be some Counties in which a patient must be either "noisy or troublesome" to receive the benefit of treatment in a State hospital, the matter of cost outweighing the possibility of cure in quiet, inoffensive cases.

GENERAL SUMMARY

In reviewing the State as a whole, as to the care of the insane, a striking feature is the great variability in the standard of care and treatment maintained in different types of institutions, and in some instances in different institutions of the same type. In some places patients receive every care and attention that is indicated by modern science as beneficial, while in others, although there appears no evidence of any degree of actual physical abuse, yet, what may be even worse, there is the most utter neglect.

It appears to be largely a question of the geographical location of a patient's residence whether such patient receives the benefit of active, curative treatment, or is allowed to lapse into chronicity in some custodial institution without an effort made to stay the course of the disease. Just how our boasted political equality can be reconciled with such a vital inequality of opportunity does not appear. There is no greater necessity to "the pursuit of happiness" than mental health, and so far as public provisions are made for the insane it would appear as though one citizen had as much right to receive good treatment and a chance for mental restoration when stricken with mental disease as another.

The un-American and un-democratic practice prevailing in some communities (Institutions Nos. 19 and 27) of sending patients "belonging to the better families" to a State hospital and others to the

county custodial institution should no longer be tolerated. But it is in no way worse than determining the question as to where a patient shall be committed by the degree of troublesomeness manifested, regardless of prognosis. It is impossible that the latter can be adequately taken into account when the matter is determined by County Commissioners, Poor Directors and non-medical stewards and superintendents of county institutions, as is now the prevailing practice, even in communities where the loud boast is heard that only chronic cases are sent to the county institutions.

That varying standards should exist is not surprising in view of the varying methods of dealing with the insane. There can not be more than one best system, and but a single policy can be successfully followed. The only results obtained in the State of Pennsylvania, which have been even approximately satisfactory, have been in the State hospitals. The fact that the State has never yet assumed full responsibility for the insane is no reason why advantage should not be taken of experience. The mere fact that treatment of insanity implies deprivation of liberty suggests the propriety of general laws governing all details of the matter applicable in exactly the same manner to all individuals affected throughout the State.

But apart from the desirability of securing a uniform and satisfactory standard of care is the imperative necessity of taking some action to provide for the excess number of insane in the State for whom there are now no accommodations in any kind of an institution. When, as has happened, a city and a State hospital have to resort to the courts to determine the right of each to refuse to accept more patients because of dangerous overcrowding it would seem as though a definite, well-planned policy should at once be substituted for the present temporizing method, especially as in the dispute mentioned the fact of overcrowding was indisputable, and hence both institutions were justified in their attitude.

RELATIVE MERITS OF STATE AND COUNTY CARE

In discussing the relative merits of State and county care, it must be admitted that the latter system has had numerous arguments urged in its favor, the main ones being as follows:

1. Possibility of patients remaining near home and receiving visitors.

2. Greater opportunity for occupation.
 3. More individual care and avoidance of so-called "massing together" in large institutions.
 4. More homelike surroundings and avoidance of institutional atmosphere.
 5. Greater numbers of recoveries.
 6. Lower maintenance cost, especially for chronic insane.
- The above arguments will be discussed separately and in order.

1. POSSIBILITY OF PATIENTS REMAINING NEAR HOME AND RECEIVING VISITORS

While theoretically visits from friends may be more readily possible in county institutions, as a matter of fact they are not. Including only such institutions as keep records of visits and those in which the local authorities felt it was possible to make an accurate estimate, it was found that in six State hospitals, with a census of 7275, there were 2942 patients who had not been visited within a year, while in 21 city and county institutions, with a census of 6476, there were 2583 patients who had not been visited within a year. In figuring the percentage of unvisited patients, the surprising result is that the proportion of visited patients remains practically constant, regardless of the type of institution—the percentage for the State hospitals being 40.43 per cent unvisited and for the city and county institutions 39.88 per cent unvisited.

It is contrary to ordinary experience to believe deprivation of liberty amid familiar scenes is less irritating than the loss of liberty amid strange ones. Under the latter circumstance new surroundings and interests are often found to so occupy even a diseased mind that such deprivation of liberty as is necessary is obscured and unrealized by the patient. Such result cannot be expected when confinement occurs amid familiar surroundings, where all objects recall former habits of unrestricted movement. But aside from the above consideration, if a well balanced State Hospital system were established, with due regard to the distribution of population, no hardship regarding visits need result.

2. GREATER OPPORTUNITY FOR OCCUPATION

The matter of occupation is undeniably of first importance. But this, like all other features, must be judged by general results

and not by isolated instances. The degree to which occupation is developed in any institution, regardless of type, depends upon personal initiative and material conditions.

The actual findings respecting this matter are as follows: 8 State hospitals have percentages ranging from 39.1 per cent to 64.3 per cent of the total hospital population regularly occupied.

Institution No. 11.....	43.2	per cent
12.....	48.2	" "
13.....	42.1	" "
14.....	48.4	" "
15.....	39.1	" "
16.....	64.3	" "
17.....	61.8	" "
18.....	48.5	" "

The hospital (No. 15) in which the lowest percentage obtains is termed a State hospital by courtesy only, for, while supported for the most part by State funds, it is under private control. While, as is to be expected, the above percentages show some variation, and the number of patients occupied in some institutions could undoubtedly be increased, the general average is good.

As for the 19 county institutions, the following indicates the percentage of the total number of patients regularly employed:

Institution No. 19.....	29.2	per cent
20.....	28.8	" "
21.....	50.7	" "
22.....	" 1 or 2 patients"—has census of but 8 patients	
23.....	57.4	per cent
24.....	26.8	" "
25.....	46.1	" "
26.....	"About 50 per cent"	
27.....	40.9	per cent
28.....	36.9	" "
29.....	52.1	" "
30.....	49.9	" "
31.....	50.3	" "
32.....	"About 50 per cent"	
33.....	67.2	per cent
34.....	43.5	" "
35.....	25.6	" "
36.....	32.0	" "
37.....	39.2	" "

The percentages given show a much wider range of variability in the number of patients occupied in the county institutions than in the State hospitals, suggesting that when good results are obtained in the former it is because of special local conditions or special initiative. The latter is especially true in Institutions Nos.

21, 23, 29 and 33, where has occupation been developed in an excellent manner, although in the first mentioned under most adverse circumstances. The lesson to be drawn is not that either State or county institutions, as such, offer superior opportunity for occupational work, but rather that opportunity can be offered in any type of an institution if properly equipped and provided with sufficient acreage. The two factors mentioned—material conditions and personal initiative, are alone essential to success, and the mere fact that fairly uniform results are obtained in the State hospitals, whereas county institutions show a wide variability, seems to indicate that such factors are more apt to exist in State hospitals.

3. MORE INDIVIDUAL CARE AND AVOIDANCE OF SO-CALLED "MASSING TOGETHER" IN LARGE INSTITUTIONS

The lack of individual care in the State hospitals has not, at the present time at least, assumed the proportions of such lack in county institutions. This fact is demonstrated by the number of attendants found on duty in the various institutions in proportion to the number of patients treated therein. The number actually on duty is, of course, less than the number assigned, as there are always a certain number of absences by reason of sickness, regular time allowance off duty, special details, etc.

In the State hospitals the proportion of day-attendants was as follows:

Institution No. 11.....	1 attendant to 14 patients
12.....	1 " " 13 "
13.....	1 " " 12 "
14.....	1 " " 13 "
15.....	1 " " 11 "
16.....	1 " " 16 "
17.....	1 " " 13 "
18.....	1 " " 19 "

The last institution is for criminal insane only and the proportion of attendants is there less because of the closer confinement of patients and the necessity for a large night force, the latter being in the proportion of 1 attendant to 17 patients.

The proportion of day-attendants in the county hospitals was as follows:

Institution No. 19.....	I attendant to 20 patients
20.....	I " " 24 "
21.....	I " " 16 "
22.....	None, solely for 8 insane here confined
23.....	I attendant to 21 patients
24.....	I " " 22 "
25.....	I " " 26 "
26.....	I " " 14 "
27.....	I " " 22 "
28.....	I " " 23 "
29.....	I " " 17 "
30.....	I " " 22 "
31.....	I " " 16 "
32.....	I " " 15 "
33.....	I " " 18 "
34.....	I " " 19 "
35.....	I " " 13 "
36.....	I " " 21 "
37.....	I " " 32 "

In some instances the difference in proportion between the State hospitals and county institutions is not large, but as seen from the details of the care given, as set forth in this report, the type of care in the county institutions, considering the whole system, is so decidedly inferior to that in the State hospitals as to admit of no comparison. In general, it is the substitution of mechanical means of restraint and confinement for personal care and attention, the lesser cost of the former no doubt being a factor.

The difference between the State hospitals and County institutions is still more marked as regards medical care and attention. While all State hospitals have staffs of resident physicians, the number of physicians being in fair proportion to the number of patients treated, in but 8 of the 19 County hospitals are there resident physicians. In 4 County hospitals, or half of those having resident physicians, there is but a single physician in the person of a medical superintendent, or a physician in charge, who in every instance is obliged to devote so much of his time to executive duties that it is impossible for him to give as much attention to strictly medical matters as would appear desirable. In the remaining 4 County institutions with resident physicians, in no instance are there more than two assistant physicians in addition to the physician in charge, although such institutions have the number of patients indicated below:

No. 20, census	886
No. 30, "	517
No. 32, "	621
No. 35, "	456

In the 11 County hospitals without a resident physician, the only medical attention is that given by visiting physicians who regularly visit only at intervals of varying length. It is thus not surprising to find that the medical work is devoted solely to the treatment of physical ills.

As to "massing together," no properly equipped hospital of any character allows such conditions to exist. A large institution does not necessarily mean such a single, monasterial structure as was formerly in vogue, but a collection of numerous building units, sometimes widely separated. With the modern cottage system, a large institution alone is able to provide proper classification, a general lack of which is one of the serious faults of the county institutions. Indeed, the only classification attempted in the vast majority of them is to separate the disturbed from the quiet as well as may be, but that such result is not always obtained is shown in the main body of this report. It is likewise there shown that the close physical contact between patients of many different types could not be exceeded under any possible condition of "massing together" in a State hospital.

4. MORE HOME-LIKE SURROUNDINGS AND AVOIDANCE OF THE INSTITUTIONAL ATMOSPHERE

The less said about the home-like surroundings the better, so far as the average county institution is concerned, for it may be again repeated that average conditions must be considered and not specific instances. And the prevailing custom of erecting the buildings for the insane at the rear of the almshouse buildings is certainly not calculated to remove institutional atmosphere. Neither is the practice peculiar to county institutions for the insane of providing only enclosed exercise yards, most of which are surrounded by high fences, completely cutting off the patients' view.

5. GREATER NUMBER OF RECOVERIES

It has been argued that the county hospitals cure more patients than do the State hospitals. If such were the case, it would seem that all progress has been made under false impressions. If poor facilities and lack of facilities produce better results than do proper provisions, then, indeed, should present conditions prevail.

It would be possible to present statistics as to recoveries which, as in the statistics given, would show individual county institutions making a good showing, but as the manner by which recoveries have been determined leaves much to be desired, such statistics would prove nothing. For instance, even in such county institutions as have a physician to determine the question of recovery, it was found that patients were discharged as recovered when diagnosed as suffering from incurable disorders, such as paranoia, and even the fatal disease of paresis. In one institution with a high recovery rate it was found that 33 per cent of the recoveries were alcoholic cases, some of whom were admitted and discharged several times within the year, each time counting as a recovery, one such case repeating on four different occasions. Recovery rates prepared in such a manner are not to be considered seriously. Nor can it be thought that in such institutions as provide a layman to pass on the question of recovery, recovery statistics are any more accurate.

The question of recovery is oftentimes most difficult to determine. Insanity is, after all, a social maladjustment, and, unless a patient has had an opportunity to prove recovery by proper social adjustment outside an institution, statistics bearing on the subject are more apt to lead to erroneous conclusions than correct ones. Hence the desirability of a parole period with subsequent examination prior to discharge. Despite all the above, 7 of the 19 county institutions discharged no cases as recovered during their last hospital year, 5 institutions discharged in the aggregate 18 cases as recovered, while in but 7 were there fair recovery rates, assuming, for the sake of argument, that statistics were accurately prepared. In the State hospitals, on the contrary, normal recovery rates everywhere obtained, except only as they were influenced by their special character, as in the State hospital for chronic insane and the State hospital for criminal insane.

6. LOWER MAINTENANCE COST, ESPECIALLY FOR CHRONIC INSANE

It cannot be denied that cost of maintenance is less in county hospitals, as proper facilities cost more than does their lack. Mere custodial care costs less than does remedial medical treatment. An article of poor quality can always be purchased for less than a superior one. It is cheaper to die without medical

attendance than with it. But because these facts are true, no one suffering from even a fatal illness, or with a near relative so suffering, would feel that the question of cost should prevent the sufferer from receiving every possible medical aid and attention. Therefore, it appears strange that mental death, in many respects worse than physical death, should be differently regarded.

But it is argued that chronic insane require only custodial care. The first difficulty is to find the person competent to determine chronicity; while, of course, it is possible to do so in many cases, there are still many others in which present knowledge does not allow a definite statement. No better proof of this is needed than the fact that there were, during the last hospital year of the various institutions, 117 patients discharged as recovered who had been under treatment longer than a year. After making due allowance for such inaccuracies in the statistics as have been pointed out, the above renders striking confirmation of the fact, repeatedly demonstrated by experience, that in some forms of insanity improvement and even recovery may occur after several years' duration. It is therefore not creditable that the question of cost should be allowed to weigh against every possible chance being offered every insane person for mental restoration.

It is, however, unfortunately true that large numbers of the insane cannot be restored by any known means of treatment, but that does not argue that they are not entitled to the best grade of custodial care consistent with a properly economical administration. The details already presented relative to individual institutions indicate that even custodial care, as such, is best given in the State hospitals, for, with detached groups of buildings, no need arises whereby such patients come in contact with acute patients. Furthermore, it is not often that so-called "chronic cases" present the distressing scenes of great excitement or extreme depression and agitation, so feared by some for their injurious effect upon the acute cases. It is rather among the acute insane themselves that such scenes occur, and hence the necessity of acute hospital buildings for the treatment of such conditions, that fine classification may be possible.

There are, however, chronic cases which occasionally suffer from acute exacerbations which require the same treatment as

similar phases of disease in acute cases, and only when such chronic patients are cared for in a well-equipped, large hospital can they be transferred to the acute hospital department and receive proper treatment.

In addition to all the above we now know that infinite possibilities exist in the occupational reëducation of even the most chronic insane patients. But not only do the county institutions fail to provide such work, as such, but in most of them there is no knowledge whatever of the subject. That work is good for the chronic insane is, of course, universally conceded, but that occupation should be fitted to special needs, that dormant interests can thus be awakened, and that practically new mental life is often the result of intensive personal reëducational effort applied with regard to individual needs, there is no conception. But such is the fact and it alone would seem sufficient to render forever obnoxious the idea that ordinary custodial care is good enough for the chronic insane, however less the cost.

The fact that county institutions do not and cannot supply the demand of modern psychiatric progress is evident from a brief consideration of their organization. Controlled as they are by Poor Directors, whose thought is not the cure of insanity, many even expressing an open incredulousness as to its possibility, such institutions are conducted in conjunction with almshouses towards whose standard they inevitably tend. Indeed, as has been noted, in some instances the insane and the paupers occupy the same building, and in but few instances is there any appreciable difference in the character of the care given the two classes of individuals. It should not, however, be assumed that the faults of the county institutions are wilful faults of the local administrations; in most instances the local stewards and superintendents of county institutions were found to be men doing their duty as best they knew and as best they could under woefully inadequate conditions. As a class, they were found to be kindly, humane men, who in the vast majority of instances appreciate the faults of the existing system and would welcome State care of the insane.

Aside from material conditions, the most universal and the most serious lack is the want of medical treatment directed to the

cure of mental disease, as such, but under the existing organization of county institutions such lack is not surprising. The Poor Directors must necessarily be chiefly interested in the matter of expense; should the poor tax be raised, their chances of reelection are of course jeopardized, and it is not without significance that Institution No. 35 is the only county institution in the State, with a single exception, provided with continuous baths and other modern equipment when one learns that it alone of all the county institutions is governed by an independent, unsalaried Board of Trustees.

It is contrary to ordinary experience to expect that all counties can ever be induced to spend sufficient funds to properly equip their institutions. In fact, it would appear unjustified to expect it, for it would mean a prohibitive per capita cost. It is only in large institutions, where the cost is distributed over a large number of patients, that the expense of proper equipment assumes reasonable per capita proportions, and when adequate facilities are provided, it is but common sense to expect the fullest use to be made of them, which is, of course, impossible in small institutions.

It has been argued that a large institution is undesirable, because the superintendent is unable to personally know and direct the treatment of individual patients. But such a view of the matter appears superficial. It matters little to the patient who the individual is who treats him, providing that individual be competent and adequate material facilities be provided. It would appear that a superintendent fulfils his function when he sees that proper facilities and treatment are provided, retaining, of course, such personal supervision as is possible. It is more important that adequate material facilities be provided to supplement skilled medical treatment than that the latter should be administered by any one person; the above, of course, implies a well-organized and competent staff, as none could successfully decry the importance of personal treatment.

To remove the insane from almshouse association, with all that it implies, to provide proper facilities for the treatment of mental disease, as such, including chronic as well as acute conditions, to remove the whole subject of the care of the insane from the realm of partisan politics and at the same time accomplish such result at a minimum expenditure of money is a problem which appears

in no way possible of accomplishment except by the adoption of State care.

As a necessary corollary there should be a State Civil Service for officers and employees, wherein merit alone will win promotion and where like salaries will be paid for like service in all parts of the State—there now existing great inequality in this regard. The successful operation of a State Care system likewise implies a central coördinating or supervisory bureau or commission empowered to maintain proper standards and to recommend the distribution of funds where the greatest needs exist, with regard to the interest of the State as a whole, all, of course, under proper checks. In such connection, the budget system is worthy of consideration.

Such an organization should not displace the local boards of managers, for local initiative and local pride should be stimulated in every proper way and the details of hospital management should be left to them and the superintendent. So it would, of course, be necessary that the exact balance of power between the central and local authorities be very carefully worked out.

Such a definite State-wide scheme is as much in the interest of true economy as humanity, for only thus can uniformity of method be obtained, with resulting economies peculiar to large organizations. The present lack of uniformity in both business and medical methods is a necessary result of the independent manner in which each institution has developed. It follows that experience gained in one institution has been lost in another, while records are worthless for purpose of comparison. By uniting all institutions in one system, the experience of one will become the property of all. Records, both business and medical, being prepared alike throughout the State, will be thereby enhanced in value. And thus alone can medical records be rendered available for scientific study, which is merely the formation of conclusions based on exact data.

There are numerous matters in connection with the care of the insane in Pennsylvania which merit discussion, but which can but be mentioned within the limits of this report. Among them is the need for codification of the insanity law, with the elimination of such an inconsistency as is seen in the provision whereby a voluntary patient must be financially able to provide maintenance, when, in another section, the law reads that indigent patients

shall have the preference in securing admission to hospitals for the insane. It is by the treatment of voluntary patients that later commitments can be avoided, as the importance of early treatment cannot be overemphasized. But under the law an indigent patient must first progress in his mental disease until committable before he is permitted to receive treatment, although at such point he is given preference.

In connection with the need of early treatment, the matter of psychopathic wards in general hospitals should receive attention. Despite the excellent law passed at the last session of the Assembly relative to such wards, but two have been established, and the practice is still well-nigh universal of placing the alleged insane in jails. Indeed, the plans of a jail about to be erected call for a padded cell for the insane. Insanity being a matter of public health, would seem to more properly belong to the realm of health officers than peace officers, or even poor officials.

A uniform method of commitment should be provided. As at present constituted, the law appears more concerned with an alleged insane person's right of freedom than right of treatment. Provide all legal safeguards thought necessary to prevent wrongful commitment, but do not make them mandatory, except on appeal. If a person knows he needs treatment and desires to receive it, make the way easy. There is far more danger of a mental case failing to receive proper treatment than there is of a sane person being committed as insane. Experience shows the latter but rarely happens, and it is safe to say that whenever it has happened such person has at once been discharged.

The question of after-care following a patient's discharge from the hospital and the subject of public mental hygiene are of vast importance. As in all the ills to which human flesh is heir prophylaxis offers more hope than treatment after the development of disease. The statistics prepared by the National Committee for Mental Hygiene show that at least 50 per cent of the insanity in this country arises from preventable causes—a startling fact, but one offering encouragement for work in this field. It is in such connection that there should be closer reciprocal relations between the general practitioner and the mental specialist.

In bringing this report to a close, it is unnecessary to make further comments on the conditions found to exist throughout the State. The results in no way justify the existing system or

rather lack of system. A remedy is demanded and it is hoped that in some measure this report has pointed the way to complete State care as the remedy needed.

In conclusion, I wish to express to the members of your committee my sincere appreciation of the many courtesies extended me, and to your Executive Secretary, Mr. Robert D. Dripps, my gratitude for his ever-ready assistance and kindly encouragement.

Respectfully submitted,
(Signed) C. FLOYD HAVILAND.

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REPORT OF THE
CITY-COUNTY COMMITTEE
OF THE
American Political Science Association

By CLYDE LYNDON KING
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The committee has endeavored to make a searching study of these monographs* in order to find out whether or not certain principles might be evolved from them that would apply more or less accurately to the city-county situation in all parts of the United States. The city-county situation is a twilight zone in the sphere of American government to which the public attention has not been adequately directed. With the thought of stimulating constructive activity for such governmental units, the following suggestions are made. They are made with the full knowledge that their efficacy will depend solely on their adaptation to local needs, and not on their wholesale adoption.

The relation of towns and cities to counties in the United States falls into three general groups: (1) the rural county with no significant industrial or urban interests; (2) the county containing several towns or cities whose interests are more industrial than agricultural, and (3) densely populated areas whose interests are strictly urban.

I. The Rural County

The rural county, with distinctly rural interests, and containing no urban sections save those whose interests are intimately related to agriculture, it is not within the special province of this report to discuss.

The committee finds, however, in such counties, urgent need for a shorter ballot. The governmental interests of such counties would best be furthered by a unicameral body of about five commissioners elected at large in which all power and responsibility relating to county government are centralized. If the county includes urban populations in sufficient number so that the board would be dominated solely by either the rural or urban group, this principle would have to be modified in some such manner as is recommended in the class of counties next to be discussed. The

*See note, page 11.

organ of county government must be sufficiently important to attract public attention and public scrutiny.

The county's administrative officers now elected could then be appointed either by this body or by the state authorities. Those having to do with the county as an organ for the satisfaction of local needs could be appointed by the county commission, those acting as state agents could be appointed by the governor of the state. Court officials could be appointed by the courts. The committee is unanimous in its belief, however, that the appointment, by the judiciary, of other than court officials, such as is the practice in Philadelphia (where the court of common pleas appoints the board of revision of taxes, the board of inspectors of the Reed Street and the Holmesburg Prison, the commissioners of Fairmont Park, the board of education, nine members of the board of viewers of Philadelphia County and the board of directors of city trusts) is vicious in its results, and should be abolished. Appointments by the judiciary should be limited strictly to court officials in order that the judicial functions may be kept distinct.

A study of many of the county officials now usually elected will show that there is little justification for their election, if, indeed, for the existence of some of them. An illustration in point is the office of coroner. This office as it exists at the present time is not only useless, but in many cases it is a positive menace to the administration of criminal justice. The duties of the office are usually performed under loose statutory provisions not adapted to present-day conditions. The duties of coroner require considerable knowledge of both medical and legal matters, and no single individual can be expected to be properly qualified in both subjects. Wherever possible there should be substituted for the coroner a medical examiner who is an expert pathologist. The hearings on the causes of violent deaths could then be held before a police court judge or other competent magistrate; and the office of medical examiner could be attached to that of the district attorney in order that the latter may be able to make the best use of evidence in criminal cases. The number of county elective officers can readily be reduced through the elimination or appointment of other officers.

II. The Federated County

In many counties there are several distinct towns or cities with industrial interests more or less different from the agricul-

tural interests, yet also containing agricultural districts whose interests must be taken into account. The problem here is to give representation to each of the factors.

A typical situation is that of Essex County, New Jersey, as shown in the monograph by Messrs. Paul and Gilbertson, on *Counties of the First Class in New Jersey*. Essex County contains sixteen municipalities classified under the state law as towns, villages, boroughs and cities. These municipalities vary from a population of 442 to 347,469. In addition there are four townships with populations varying from one to nine thousand. A similar situation exists in Los Angeles and Alameda Counties, California. Alameda County comprises an area of approximately 843 square miles, contains a population of 265,000 people and embraces several incorporated cities and towns varying in population from 808 to 156,674.

Your committee feels that this situation warrants the creation of a single county legislative body. In many cases this body could be created on the federal plan. It believes that the federal type would be better than election at large because public opinion and scrutiny have already been focused upon the mayors and elective officials of the city on the one hand, and upon the elective officials of the township or other governmental unit representing farmers' interests on the other hand.

A type of the federation recommended is that recently created for a Public Utility District in California. The board of directors entrusted with the management of this district is composed as follows: the mayor or president of the board of trustees or other governing body of each city and the chairman of the board of supervisors of the county if incorporated territory is included; a member of the city council or other person selected by the council from each city having at least 5000 registered voters; and an additional member of the council or other person for each additional 10,000 voters. In effect, this board of directors will include: the mayor and one other member from both Alameda and Richmond; the mayors of Albany, Emeryville, Haywards, Piedmont and San Leandro; the mayor and two others from Berkeley; the mayor and four others from Oakland, and the chairmen of the boards of supervisors in Alameda and Contra Costa Counties. This gives a board of nineteen men, so composed as to give at once both permanency of policy and popular control.

If anything this is too large a board. If the federal plan

creates too large a board, some other method of selection will have to be devised, such as electing a rather small board of members by a limited number of relatively large districts, using the large municipalities and the district rural units as much as possible.

The functions of this central legislative body would vary with the needs of each locality. In the matter of taxation it would be the unit both for the assessment and collection of taxes. Your committee unreservedly favors the state centralization in the supervision of collection of taxes.* Such centralization does away with the evils inherent in decentralization of assessment, namely, inequalities in assessment between the communities at the expense of the more honest communities. Moreover, the multiplication of taxation agencies means unnecessary expense.

A second function of this legislative body would be at least advisory control over the police of the various towns and districts. The extent of this control would depend upon the degree of continuity of urban populations and the character and homogeneity of police requirements. It is futile for certain municipalities to enforce their laws in certain particulars when another municipality at its border is allowed to run wide open. A third function should unquestionably be the control over interurban railways and city-country roads. Professor Bates, in his study of the situation in Indianapolis, points out the overlapping of responsibility between city, township and county authorities for the construction and repair of country-to-city roads. Though cities build improved roads to their limits, they soon find that the returns to the city through better traffic from outlying regions is definitely impaired for want of county or township action. Somewhat analogous is the matter of sewer construction in outlying districts beyond the city limits. Proprietors of proposed additions, and residents in suburban areas have found both legal and practical questions when they endeavor to get adequate connection with sewer systems. Such a central legislative body could be practically the agency for controlling a metropolitan sewer system. In Hudson County, New Jersey, where the community is closely

*Such as has been developed in Alabama, Arizona, Arkansas, Colorado, Connecticut, Indiana, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin and Wyoming.

built up, such a federated system could also be of service in fire prevention and could act as the authorities for a metropolitan fire district.

And finally this federal legislative body could act in an advisory function in the regulation of public utilities. Your committee is unreservedly in favor of centralization in the state of ultimate control over the regulation of municipal utilities. This seems to be necessitated by the great increase in absentee ownership and by the dependence of one community upon another for proper extension and supervision of utility services. Local bodies, however, could render distinct advisory service, and might, in the larger urban centers, have regulatory powers subject to appeal to and revision by the state board.

III. The County City

The third situation is that where there are dense industrial areas with interests essentially urban.

A typical example of this situation is Philadelphia where the boundaries of the city and county are conterminous but where there is no unit in city-county administration. Thus the following departments, which spent \$18,042,970.55 in 1912, and requested \$20,006,460.15 in 1914, are under the control of the mayor: department of supplies, civil service commission, department of public safety, department of health and charities, department of public works, permanent committee on comprehensive plans, Pennsylvania Nautical School, art, jury, board of recreation, department of wharves, docks and ferries, department of city transit. The following departments, though they spent \$11,696,220.52 in 1912, and requested \$16,623,155.64 in 1914, are financed through the council but are independent of the mayor: city controller, city treasurer, board of revision of taxes, receiver of taxes, department of law, city commissioners, clerk of quarter sessions, prothonotary, coroner, recorder of deeds, register of wills, district attorney, sheriff, Philadelphia County prison, commissioners of Fairmont Park, commissioners of sinking fund, board of education, board of viewers of Philadelphia County, board of mercantile appraisers, board of registration commissioners, Pennsylvania Museum and School of Industrial Art, Zoölogical Society of Philadelphia, board of directors of city trusts. Free Library of Philadelphia, Eastern State Penitentiary, and select and common councils. This diffusion of administrative

responsibility leads not only to duplication but to inefficiency and waste in the non-city departments.

Thus the total expense, according to Bulletin No. 84 issued by the Philadelphia bureau of municipal research, for the distinctly city offices increased but 1.8 per cent. for 1912 over 1911 while the total expense incurred for the county departments in 1912 increased 4.6 per cent. over those of 1911. The total increase for all city and county departments was 3.2 per cent.

Such was the situation in Denver during the years from 1904 to 1911 when the boundaries of the city and county of Denver were conterminous but when the court by judicial decree prevented consolidation under a single legislative and administrative control. During this period the independent county officials in Denver and the institutions supervised by them were incompetently manned, uneconomically administered and in many cases wholly corrupt. Such is typical of the situation that tends to exist wherever there is such overlapping of city and county functions. The city officials are elected under the closest public scrutiny; the county officials under practically no public scrutiny. The result is that the city administration grows relatively more efficient and county administration shows no improvement or grows relatively more and more wasteful.

The administrative consolidation of the county of Suffolk and the city of Boston is also not as complete as might be desired. Thus there is a separate registry department for the city and for the county. The city registrar is appointed by the mayor under civil service regulations while the register of deeds for the county is elected by the people. The county department for the year 1911-1912 cost the city \$56,000 while the city department cost but \$38,000. There seems to be no fundamental reason, concludes Dr. Hormell in his special monograph on *Boston's County Problems*, why these separate departments could not be consolidated into a single department. The sheriff, likewise, is an elected county official, for Suffolk County, and might well be dispensed with. His functions as a court officer could be exercised by an appointee of the court; his duties in relation to keeping the peace could better be performed by the police department. Greater efficiency would be secured and a simpler and more logical organization of Boston and Suffolk County would be brought about by the complete elimination of all other county officials.

Hudson County, New Jersey, offers a similar need for con-

solidation. It presents a most remarkable physical unity, while the urban unity is so great that it is impossible to tell where one municipality ends and another begins. The interests of all Hudson County are primarily urban and industrial, yet there is needless duplication of government through thirteen different municipalities whose populations vary from 3163 to 267,779.

Mr. Catlett's study of the relation of the city of Seattle to the county of King shows a similar need for consolidation there. The total population of the county is 284,500—237,000 of whom are within the limits of the city of Seattle.

The way for consolidation has already been opened in this country by the example of San Francisco and Denver. The government of Denver City and County is now administered exclusively through a commission of five men. The government of San Francisco was formerly administered by a mayor, recorder, board of aldermen, board of assistant aldermen, which two boards were styled "common council," treasurer, comptroller, street commissioners, collector of city taxes, city marshal, city attorney and two assessors for each city ward. The county officers included a district attorney, county clerk, county attorney, county surveyor, sheriff, recorder, assessor, coroner, treasurer, public administrator, and county board of supervisors. The government is now vested in a single council and a mayor with appointive power. The result of consolidation in both Denver and San Francisco, as in other cities in the United States where this duplication does not exist, has been economies, efficiency, simplification and responsiveness of government.

Your committee believes that one of the fundamental standards now to be attained by such urban areas is the adoption of the English system whereby a city, on gaining a given population will have automatically, not only the powers inherent to it as a municipality of its class, but also all the powers bestowed upon the county government. In England a borough automatically becomes a county borough with the powers both of a municipality and a county when it reaches a population of 50,000. A similar system is practiced in Prussia, though ministerial decree not merely the acquisition of a given population, is necessary for consolidation.

Your committee recommends that a standard be adopted for each of our states whereby a city, upon attaining a given population, dependent upon the needs of each of the states, shall auto-

matically become a county-city with powers both of a municipality and a county, with conterminous boundaries, a single legislative body, and a centralized executive.

As to the structure of government for such a county-city, a single body elected at large is recommended. This principle could be adapted to the largest municipalities by the election of a minority of the board, say four of the nine members, from the large divisions of the city. The large bicameral council is universally giving way to the small unicameral council in every part of the United States where the cities themselves have had anything to do with framing their own charters for efficiency. Even in Philadelphia, which has a council of 132 members—47 in the select council and 85 in the common council—there is a movement on foot for the creation of a small council with a single chamber. Experience there, as the experience elsewhere, has always been that the council is large when it comes to escaping responsibility for legislative or administrative acts, but is very small when it comes to determining what is actually to be done for partisan ends. Thus in Philadelphia legislation is actually accomplished by a small group of about 9 men instead of 132 men as seems to be the case. We believe that the form of government should conform to the practice.

This small legislative body, as indicated above, should have all legislative powers both for the city and county. But their power and authority should end there. The responsibility for administration should be vested solely in the administrators, preferably in a single elective or appointive official. In cities of larger size, certainly in cities of over 1,000,000 population, as in Philadelphia, your committee is unanimously of the belief that the mayor should be elective and all appointive power centered in him.

For cities of smaller size it would no doubt be better if the responsible administrative official were appointed rather than elected and be known by some such title as the county manager. Hudson and Essex Counties, New Jersey, have already an independently elected official known as the county supervisor. The law states that this official "shall be the chief executive officer of the county and may recommend the board of chosen freeholders to pass such measures as he may deem necessary or expedient for the welfare of the county." He is directed "to be vigilant and active in causing the laws and ordinances of the county to be

executed and enforced," and is given supervisory powers over administration and veto powers over the resolutions and ordinances passed by the board of freeholders. This office can be made of the very highest importance and a power for efficient administration.

Among others, the specific duties of the county manager would be: (1) to act as purchasing agent; (2) to supervise the business administration of the county; (3) to prepare the county budgets; (4) to keep the county's books. He should be a thoroughly trained official equipped with the knowledge of modern administrative methods, and with the capacity of a thorough executive. His tenure should be at the pleasure of the board, and the board should not be restricted in its choice to residents of the city. He should have power to appoint all subordinates and heads of departments.

Your committee is of the opinion that the merit system should be applied to county as well as municipal administrative officials. In certain places, such as Los Angeles, both the city and the county have civil service commissions, each with its efficiency bureau. County civil service is in effect in certain counties of New Jersey under the state civil service commission which supervises municipal and county examinations for appointments. The want of the merit system as applied to county subordinates has meant, both in Philadelphia and in Boston, that officials dismissed from the city service for reasons of incompetency, inefficiency or dishonesty have often been re-employed in the county service. In this extension of the merit system to the higher grade of governmental employees, your committee wishes to recommend, however, that the practice of non-assembled examinations be extended, that the widest possible discretion be left to the administrative officials and that there be no resident limitations upon applicants.

There are many urgent reasons why there should be no residence limitations upon engineers, bureau chiefs and all those in expert service. One of these is that local opposition to "aliens" is based at times on the knowledge that the local expert is amenable to social and economic pressure that will tend to make him "safe and sane," in other words often dishonest. And if faith in the expert is to develop, all taint of dishonesty or amenability to "pressure" must be eliminated. How many cases could be cited by this group of political scientists of virile and honest

criticisms of local public utilities, say, that come from within the city! The number is few indeed. A second equally poignant reason for no residence limitation on experts for governmental service is that the honesty, efficiency and competent standards of experts will best be furthered by the creation of a national supply of such experts to the end that evidence of "taint" will reflect on the expert's standing among his associates. This is a factor of no small importance in developing a class of experts in whom the public can have a righteous faith.

There is need not only for uniformity of accounting in city-county areas but also for state supervision of accounting in order that expenses charged against one thing in one county may not be charged against a different thing in another county, thus baffling any comparative analysis of the cost of government. There is need for standardized reports of a character that would have meaning alike to citizen and official.

The county city should be its own unit for the assessment and collection of taxes. Your committee believes that taxation requires state supervision and inspection of county assessors and assessments. Public health protection is in need of intimate state regulation through the department of health, yet the city must have ample powers to handle all purely local questions.

In all three classes of counties discussed above, many duplications of offices and unnecessary expense could be eliminated if the central county legislative body controlled such matters as the inspection of milk. The several towns and cities in Essex County, New Jersey, draw their milk supply from scores of dairies. These dairies are in turn subjected to inspection by each municipality. A central agency could make more frequent and thorough inspections at a decidedly less cost.

The sheriff, in many states, can be appointed by the governor, though it will be difficult to overcome the force of tradition that these officials should be elected. Some states may be ready for appointment of prosecuting attorneys either by the governor or by the attorney-general. In those states where the judicial administration is a state affair, with state appointed judges, the city boundaries should be the limits of a judicial district. This should be so without exception where city and county are co-terminus. Such a district should have a centralized system of inferior courts under the head of a chief justice having authority to distribute the judicial business among the several judges

within the municipality. In states where the administration of justice is in the hands of locally elected or appointed judges or justices there should be a municipal court after the plan of the Chicago municipal court. There is distinct need for consolidation of judicial authorities in all the larger urban areas. The supervision of penal and correctional institutions should rest more and more in the state and less and less in the local community, whether it be county or city.

Whether this reconstruction of county and city government come through special legislation, through optional legislation giving to the city and county the privileges of a choice between statutes and the referendum, or through home rule, as in California, will depend largely upon the political attitudes and customs of the various sections of the country. That such readjustment is necessary for efficiency seems amply warranted by the facts.

[NOTE:—The conclusions in this report are based principally upon local studies made by individual members of the committee as follows: Boston and Suffolk county, Prof. O. C. Hormell; Hudson county, N. J., Winston Paul; Essex county, N. J., H. S. Gilbertson; King county, Wash., Fred. W. Catlett; Indianapolis, Prof. Frank G. Bates; San Francisco, Hon. Percy V. Long; Los Angeles county, Hon. L. R. Works; Denver and Philadelphia, Dr. Clyde L. King.]

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The Sheriff's Office

Report of the Investigation
Made by the Municipal
Association in the Interest
of Economy and Efficiency



The Municipal Association of Cleveland
" " " " " "
September 1912

Statement

To the Citizens of Cuyahoga County :

During the past three months, the Municipal Association has been making an investigation into the conduct of the Sheriff's office, the management of the jail, and the provisions of law controlling the functions of the office, with a view to furnishing the citizens of the County accurate information concerning the duties and operation of the office and offering such suggestions as would seem to promote efficiency and economy in its administration.

The services of experts have been employed where necessary and every effort has been made to make the report not merely critical but constructive. Care has been taken to see that the suggestions are practical and based upon the actual needs of the office.

While we have not hesitated to point out defects in the management, we have also sought to commend whenever deserved.

The report is published and distributed in the hope that it will stimulate greater public interest in the efficient conduct of this important office.

Respectfully submitted,

THE EXECUTIVE BOARD.

Morris A. Black,
Henry E. Bourne,
Herbert B. Briggs,
John H. Clarke,
J. W. Frazier,
William Howell,
Henry F. Lyman,
F. S. McGowan,
Francis T. Moran,
Warren S. Stone,
Duane H. Tilden.

Mayo Fesler, Secretary.

The Sheriff's Office

The Sheriff's office is one of the three administrative offices provided for in the constitution. All others are statutory. The Sheriff of Cuyahoga County is elected for two years at an annual salary of \$6,000. He is not eligible for more than four years in any six.

The duties of the office are determined entirely by statute. The Sheriff is responsible for the safekeeping and welfare of all prisoners committed to his care; he is required to keep a record of and serve writs in all criminal and civil actions; to serve all insanity warrants, and summon all jurors for the various terms of the Court of Common Pleas, Probate Court and Insolvency Court. He is required to apprehend all prisoners charged with or suspected of crime and to attend criminal court with such prisoners. It is his duty to transport all prisoners from Cuyahoga County to the various state institutions to which they have been committed by the courts; criminals to the penitentiary at Columbus or to the Mansfield Reformatory; girl offenders to the Girls' Home at Delaware; boys to the Industrial School at Lancaster; insane patients to the State Hospital at Newburgh; feeble-minded to the institute at Columbus; and epileptics to the institute at Gallipolis. In addition to the state prisoners entrusted to his care, the Sheriff has charge of federal prisoners placed temporarily in the county jail by the United States Marshal, the Immigration Bureau and officers of the Army and Navy. The Sheriff is also the chief police officer for the County and is charged with the preservation of the public peace. He is expected to enforce the laws for the protection of birds, fish and game; to assist in enforcing the election laws; to suppress in the County the unlawful sale of intoxicating liquors; and to serve certain warrants for the Governor. In time of riot or disorder, his position becomes one of commanding importance. He is further required to advertise and sell real and personal property at public auction when directed to do so by the courts; to keep a record of all these transactions; to collect fees for the various services, to pay them into the County Treasury, and to make regular reports to the County Commissioners of the operation of his office.

DEPUTIES AND ASSISTANTS

For the performance of the various duties indicated above, Cuyahoga County provides the officers and deputies at the salaries indicated in the following table:

Names of Present Employees	Nature of Employment	Annual Salary
A. J. Hirstius.....	Sheriff	\$6,000
C. B. Stannard.....	Chief Deputy	3,000
E. H. Stegkemper.....	Cost Clerk	1,920
A. C. Zinzow.....	Bookkeeper	1,400
J. F. Tomesek.....	Outside Deputy	1,200
J. J. Halloran.....	Outside Deputy	1,200
B. J. Oviatt.....	Outside Deputy	1,200
Harry B. Lee.....	Outside Deputy	1,200
Frank Blitz	Emergency Deputy.....	1,200
W. A. Stoller.....	Chief Jailer	1,260
Charles Daus	Assistant Jailer	1,116
P. J. Coil.....	Assistant Jailer	1,080
Wm. Wanke	Assistant Jailer	1,080
Frank Bouske	Assistant Jailer	1,080
Wm. Burns	Assistant Jailer	1,080
Joe Navario	Assistant Jailer	1,080
Stanley Sobczak	Assistant Jailer	1,080
Frank Minter	Copyist	960
Winifred King	Stenographer	480
Nellie Manning	Matron	720
Angie Stenton	Matron	720
Myra Hall	Matron	720
Dr. A. E. McClure (appointed by Commissioners)	Jail Physician	1,200
Isaac Prapnell (appointed by Commissioners)	Jail Nurse	900
Total number employees...23		Total annual salaries..\$32,876

DIVISION OF WORK

The duties of the Sheriff's office are divided among the various employees somewhat as follows:

Chief Deputy. The Chief Deputy has general supervision over the office work and the jail, and also has charge of keeping the cash accounts for the office.

Cost Clerk. The Cost Clerk is responsible for the taxing of costs on all writs of whatever nature and on the sales of real estate. The present Cost Clerk, Mr. Stegkemper, has been connected with the Sheriff's office continuously for a period of about twenty years.

Bookkeeper. The Bookkeeper has charge of the foreign execution docket, the cash book, the records of unclaimed costs, the jail register, and other account books connected with the Sheriff's office.

Outside Deputies. The four Outside Deputies serve the various writs which are issued from the Sheriff's office. The County is divided into four districts to each of which one deputy is appointed. In addition to these four deputies a fifth deputy, known as the emergency man, provided for by the County Commissioners upon recommendation of the Sheriff in January, 1908, is used for serving forthwith summonses and other summonses in cases where prompt action is necessary.

Chief Jailer. The seven assistant jailers or deputies are used for bringing in prisoners in extradition cases and from outside the County; for taking prisoners to court for arraignment and trial and for apprehending insane prisoners and accompanying such prisoners to the Probate Court and from thence to the State Hospital. They also supervise the cleaning of the jail and the feeding of the prisoners. They accompany prisoners under sentence to the penitentiary or to the other state institutions to which they may be assigned by the Court. Two of these assistant jailers are always on duty at night at the jail. They are required to patrol the jail completely once every hour and are obliged to ring the time reporter at nine different points in the jail within the hour.

County Jail Physician. The County Commissioners, as provided by statute, appoint a jail physician who is required to report at the jail once each day and at night whenever the emergency demands. He has supervision of the health of the prisoners. He examines and reports on the condition of the prisoners to the grand jury and judges of the criminal courts when so ordered. The Jail Physician is also required to examine and report upon the physical condition of boys and girls brought before the Juvenile Court.

Jail Nurse. The Commissioners have provided for a nurse in the jail whose duty it is to inspect the jail twice a day and find out what prisoners, if any, need medical attention. He is ordinarily on duty from 8 o'clock in the morning to 5 p. m., and is required to report at night in emergency cases.

Matrons. Three matrons are provided for the women's and juvenile departments. These matrons serve in eight-hour shifts and their duties are the same as those of the assistant jailers.

AMOUNT OF WORK DONE IN THE SHERIFF'S OFFICE

In order to have a more definite idea of the amount of work to be performed by the Sheriff's office, the following summary of work done in 1911, as compiled from the Sheriff's office, is included in this report.

WORK DONE IN 1911

(a) Writs.

Number served—

In criminal actions.....	4,998
In civil cases.....	19,991
Insanity warrants	1,167
Jury service	882
Average distance traveled in serving a writ....	4 miles
Total number of miles traveled in serving writs.	89,956 miles

(b) Attachments.

Number levied	30
Number of sales.....	None

(c) Executions.

Number of sales of real property.....	220
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(d) Arrest.

Number arrested or apprehended—

Criminal	180
Insane	674

(e) Prisoners.

1. Number of prisoners placed in jail under arrest:

• Male—

Married	1,430
Single	2,016

Total

3,446

Female—

Married	173
Single	169

Total

342

Total for 1911.....

3,788

2. Number of insane placed in jail.....

512

3. Number of U. S. prisoners in jail.....

77

4. Total number of prisoners during the year.....

3,788

5. Number of prisoner days occupied by prisoners during year 1911.....

24,581

6. Number of prisoners transported:

Ohio Penitentiary, Columbus.....

150

State Reformatory, Mansfield.....

97

Boys' Industrial School, Lancaster.....

54

Girls' Industrial School, Delaware.....

2

City Workhouse, Cleveland—

From Criminal Court.....

101

From Juvenile Court.....

175

Insane Hospital, Newburgh.....

444

Gallipolis

5

Total

1,021

CLERICAL SERVICE

The Association employed the accounting firm of Ernst & Ernst, certified public accountants, to make a detailed examination of the Sheriff's office, with particular reference to the clerical work performed by the office and the possibilities of greater economy and efficiency in its operation. The report goes fully into an analysis of the duties of the various employees, the records which the office is required to keep, and the clerical work involved. The report shows the following list of books and records maintained:

Cash and Execution Docket	Insolvency Court Fee Book
Foreign Execution Docket	Juvenile Court Fee Book
Common Pleas Fee Book	State of Ohio Fee Book
Foreign Summons Docket	Grand Jury Subpœna Record
Divorce Common Pleas Fee Book	Cash and Disbursements Book
Insane Fee Book	Execution Docket
Probate County Fee Book	Record of Accrued Taxes

CLERICAL WORK INVOLVED

In discussing the work involved, Ernst & Ernst's report says:

"With the purpose of determining the amount of clerical work performed in the keeping of the records and cash book in connection with the Sheriff's office, we have prepared the following schedule showing the approximate number of writs issued by the different courts during the calendar year 1911, and entered in the various records briefly described in the foregoing paragraphs of this report:

Nature of Writ	Record	Entries
Local Executions	Execution Docket	2,500
Foreign Executions	Foreign Execution Docket.....	50
Summonses, Subpœnas and Notices..	Common Pleas Fee Book.....	9,500
Foreign Writs	Foreign Summonses Docket...	650
Warrants to arrest, to convey, and Subpœnas	Insane Fee Book.....	1,300
Summonses, Citations and Notices...	Divorce Common Pleas Fee Book	2,100
Summonses, Subpœnas and Notices..	Probate Court Fee Book.....	1,500
Summonses, Subpœnas and Notices..	Insolvency Court Fee Book....	300
Warrants to arrest, to convey and Subpœnas	Juvenile Court Fee Book.....	500
Capiases and Subpœnas.....	State of Ohio Fee Book.....	3,750
Grand Jury Subpœnas.....	Grand Jury Subpœna Book....	1,025
Jury Venires		50
Land Sales		200
Total number of entries.....		23,425

The report concludes with the following summary and recommendations:

"We have given careful attention to all those circumstances and conditions which necessarily govern and which

must receive due consideration relative to the efficiency of a clerical organization in connection with a public office.

"We have found that the courts to which are subservient the office of Sheriff and all employees therewith connected are in session about nine months of the calendar year. In consideration of the nature of the records maintained as described in the foregoing paragraphs of this report and of the relationship which exists between the Sheriff's office and the courts, the conclusion must necessarily be that the volume of work executed and the various functions performed by all those employees attached to this office are much greater in the aggregate during the terms when the courts are in session than during the periods of recess.

"The amount of work performed by those employees whose attention is confined exclusively to clerical duties and by those who serve in the capacity of deputies is governed almost entirely by the number of writs of various kinds and descriptions issued by the different courts, both local and foreign, during a given period of time. We have shown in the schedule submitted and which forms part of this report, that the total number of writs recorded, served and returned during the calendar year 1911 was approximately 23,425. Of this total number a much larger percentage is recorded during the terms of the courts than during the recess periods.

CONCLUSIONS AND RECOMMENDATIONS

"Our investigation has been pursued during a recess of the court. We have made careful observations of the clerical work performed at this particular time, and, in so far as was possible under existing circumstances, we have observed also the degree of application with which each employee performs the duties assigned to him.

"From the observations made during this current recess of the court and from all the information which we have been able to acquire relative to the duties of the office during the terms of court, we have the opinion that the duties made incumbent upon the clerical employees attached to the Sheriff's office are sufficient to occupy about one-third of their time during the recess period of the court, assuming that when actually engaged in the performance of their duties they work at normal efficiency. We further express the opinion that the volume of work done during the terms of the court is sufficient to occupy the whole time of the present employees in this office actually engaged in clerical work.

"We believe that the office of Chief Deputy could be effectively combined with that of Cost Clerk. In order that a combination of these two offices might not result in an unjust distribution of labor, we believe that the compensation received by the stenographer should be increased to such

amount as would command the services of a man capable of assisting either the bookkeeper or Cost Clerk when necessary. It is our opinion that if the office of Cost Clerk were relieved of certain items of detail work during the periods when most burdened, this office could successfully assume the responsibilities of the office of Chief Deputy, the principal function of which seems to be the supervision of the clerical work performed in connection with the Sheriff's office.

"We have found that the clerical work performed is neatly executed and with apparent accuracy. We believe that the office is now conducted in a manner which has obtained a fair degree of efficiency. It is our conclusion, however, that a combination of the two offices mentioned, accompanied by an increase in the compensations paid to the offices of Cost Clerk and Stenographer, would effect an economy and materially increase the efficiency of the organization as a whole."

CHANGES IN THE STAFF

The Association is in full accord with the recommendations of Ernst & Ernst that one position might be abolished either by combining the duties of Cost Clerk with those of Chief Deputy and by properly distributing some of the duties now devolving upon the former, so that the Chief Deputy would not be overburdened, or it may be done by combining the bookkeeper's work with that of the Cost Clerk. Under the present organization of the Sheriff's office there are, in fact, three general supervisors or superintendents; the Sheriff himself, the Chief Deputy, and the Cost Clerk. The latter has been retained for more than twenty years in the office through various administrations because of his knowledge of the details of the office. In that sense he is a general supervisor and has the grasp of the details of the office which are contemplated in the office of Chief Deputy. General supervision is the work of the Sheriff and Chief Deputy. The other duties are purely clerical and should be combined wherever possible in the interest of economy and efficiency. The copyist, whose duties are purely that of copying on the typewriter forms of writs and summonses, and does not require any knowledge of stenography, receives a salary of \$960. The stenographer receives only \$480. A comparison with similar duties performed in the Municipal Court convinces us that these two positions could be combined into one with an annual salary of \$960, and that one stenographer could perform the duties of both and assist to some extent in keeping the books of the office.

A position which, in our opinion, is purely a sinecure, is

that of Jail Nurse, an officer appointed by the County Commissioners, who is not under the jurisdiction of the Sheriff. His chief duties are to make an inspection, or rather inquiries, of the prisoners twice a day to find out if any of them need medical attention and to carry out the jail physician's orders in giving medicine to such prisoners. It would be natural to suppose that such an officer, if needed at all, would have some knowledge of the duties of a nurse. The present incumbent has never had any such training. Before his appointment to this position he was employed by the County Commissioners as an assistant superintendent of bridges, and formerly was a bridge repairer. Moreover, his duties can be performed just as efficiently by the assistant jailers, two of whom are always on duty in the jail. We would recommend the abolition of the office of Jail Nurse and a transfer of his meagre duties to the regular deputies employed by the Sheriff.

The adoption of the merit system in appointment to county offices, as provided for in the recent amendment to the state constitution, will, it is hoped, place all appointive positions in the Sheriff's office on the merit basis and will require the appointment and retention of employees equipped by experience or training for the duties of the various positions.

SALARIES READJUSTED

In connection with the changes in the staff we believe there should be some readjustment also in the salaries. The Sheriff now receives, according to law, a salary of \$6,000, the limit fixed by Section 2996 of the Revised Statutes. Section 2994 fixes the salaries of Sheriffs in the various counties on the basis of population—so much for each thousand population; and Section 2996 provides that the maximum shall not exceed \$6,000. Cuyahoga County is the only county in the state which has reached the maximum. While the duties of the Sheriff are important and his responsibilities in certain emergencies are heavy, they require no expert training and consist chiefly in executing the orders of the court and caring for prisoners. They certainly cannot be said to be more important than those of the Chief of Police of Cleveland, who receives only \$4,000 per annum. Since the maximum provided by law affects Cuyahoga County alone we recommend that efforts be made at the next session of the legislature to have the maximum salary of the Sheriff reduced to \$5,000.

Further changes in the salary list are indicated in the attached table, showing the present payroll and the new one as suggested:

Positions	Old Payroll	New Payroll
Sheriff	\$ 6,000	\$5,000
Chief Deputy	3,000	3,000
Cost Clerk	1,920	(abolished)
Bookkeeper	1,400	1,400
Outside Deputies (5)—\$1,200 each.....	6,000	6,000
Chief Jailer	1,260	1,260
Assistant Chief Jailer.....	1,116	1,116
Assistant Jailers (6)—\$1,080 each.....	6,480	6,480
Matrons (3)—\$720 each.....	2,160	2,160
Stenographer	480	960
Copyist	960	(abolished)
Jail Physician	1,200	1,200
Jail Nurse	900	(abolished)
Total	\$32,876	\$28,576

These changes in the office force and salaries would effect a saving of over \$4,000 annually in the payroll, and, in our opinion, would tend to improve the efficiency of the service.

FEES IN THE SHERIFF'S OFFICE

For the performance of the various services required of the Sheriff's office he is authorized by law to collect the following fees for serving and returning writs and orders, all of which sums, however, are turned into the general county fund:

Executions (when money is paid without levy).....	\$0.75
Executions (when levy is made on real property)	2.50
Executions (when levy is made on goods and chattels).....	2.50
Writ of attachment	2.50
Writ of attachment for purpose of garnishment.....	.75
Writs of replevin.....	2.50
Warrant to arrest (for each person named).....	1.00
Attachment for contempt (each person named).....	.75
Writ of possession or restitution.....	2.50
Subpoena (each person named) .....	.25
Venire (each person named) .....	.10
Summoning juror (each juror) .....	.10
Writ of partition	1.50
Order of sale on partition.....	2.50
Other orders of sale of real property.....	2.50
Administering oath to appraisers (each) .....	.40
For furnishing copies for advertisements (per hundred words)..	.10
For furnishing copy of indictment (each defendant) .....	.50
All summonses, writs, orders or notices:	
For first name .....	.75
For each additional name.....	.25
Taking bail bond .....	.25
Jail fees for receiving and discharging prisoners.....	.50

Taking prisoner before judge or court (per day).....	.75
Calling action .....	.10
Calling jury .....	.10
Calling each witness .....	.05
Bring upon habeas corpus.....	1.00
Poundage on all money on executions, etc.....	1 %
Poundage on all money on executions (over \$10,000).....	1½ %
Making and executing a deed on land.....	2.00
Advertising elections (each election precinct).....	.25

The Sheriff is also authorized by law to collect in addition the following mileage fees:

Each summons, writ or order.....	.8c per mile going and returning
Posting election notices.....	.8c per mile actually traveled
Conveying prisoners to state Institutions:	
Sheriff .....	.8c per mile actually traveled
Guard .....	.6c per mile actually traveled
Prisoner .....	.5c per mile actually traveled

These fees, too, go into the general county fund. The responsibility for the collection of these fees is divided between the offices of the Sheriff and the County Clerk. The Clerk is charged with the collection of fees for services performed by the Sheriff's office when directed by the Courts, such as summoning witnesses or jurors. All other fees due the Sheriff's office are to be collected by him.

The fee and salary law of 1906 provided that all fees unpaid at the end of the year should be collected by the County Commissioners in conjunction with the Prosecuting Attorney. Under authority of that act the County Commissioners last year instructed the Sheriff to make a report showing all uncollected fees, costs, penalties and perquisites of any kind due his office for the past four years. This report shows a total of \$13,103.45—or an average of over \$3,000 per year uncollected. A large percentage of these fees are those uncollected by the Clerk's office. They range in amounts from 10 cents to \$50. It is impossible to tell what portion of these could, with due diligence, have been collected. But no further steps were taken by the Commissioners looking to their collection.

In the 1911 session the Legislature changed this section of the law to require the Sheriff, on or before January 15th of each year to file with the Prosecuting Attorney a report in writing showing the fees, penalties and other perquisites due his office and "unpaid for more than one year." The law provides further that "it shall be the duty of the Prosecuting Attorney to immediately proceed to collect the same by any of the means provided

by law, and to pay the amount so collected into the County Treasury to the credit of the general county fund."

In December, 1911, Mr. Cline, County Prosecutor, requested the judges of the Court of Common Pleas to grant him an appropriation for additional clerks and assistants, so that he could establish a collection agency in connection with the office of Prosecuting Attorney, for the purpose of collecting the unpaid fees due the various county offices. In January, 1912, he again called the attention of the judges to his request for an allowance, claiming that the law could not be complied with by his present office force. He suggested the advisability of permitting him to establish a collection agency which would work on a 25 per cent commission. The judges took no action on the request of the Prosecutor. No further steps have been taken by him to comply with the law, and the more than \$13,000 unpaid fees due the Sheriff's office are still delinquent and the law unenforced.

CONDITION OF THE JAIL

The statute provides that "the Sheriff shall have charge of the jail of the county and all prisoners confined therein, keep them safely, attend to the jail, and govern and regulate it according to the rules and regulations prescribed by the Court of Common Pleas" (R. S., Section 3157). In these rules the Court of Common Pleas shall provide for the:

1. Cleanliness of the prison and prisoners.
2. Classification of prisoners as to sex, age, crime, etc.
3. Bed and clothing.
4. Warming, lighting and ventilating the prison.
5. Medical or surgical aid when necessary.
6. Employment, temperance and instruction of the prisoners.
7. Supplying of each prisoner with a copy of the Bible.
8. Intercourse between prisoners and their counsel and other prisoners.
9. Punishment of prisoners for violation of the rules of the prison.
10. Other regulations necessary to promote the welfare of the prisoners.

Such rules have been printed in bold type and a copy has been placed in each cell, in the corridors of the jail, and in public places in the Sheriff's office.

A sanitary engineer, of Case School of Applied Science. Prof. Moomaw, was engaged to make a detailed inspection of the jail and its sanitary conditions. He reported that he found the air in all parts of the jail fresh and pure—no foul odors were

noticeable from any source whatever. Ventilation is satisfactory and heating facilities are adequate. The steel floors and iron railings are scrubbed and washed daily with a lye solution, which keeps them clean and free from any vermin or disease germs. The cells and their furnishings, beds, mattresses, etc., were found in cleanly condition. The kitchen and cooking utensils were clean and wholesome. Few flies were seen. The walls of the kitchen and jail are whitewashed twice each year. "Altogether," he concludes, "the sanitary conditions of the jail were above my expectations."

The report of Prof. Moomaw was reinforced by the statements of the restaurant men who examined the food, and the kitchen, and also by frequent visits at unexpected intervals during the summer by representatives of the Association. The sanitary conditions on all these visits were found to be uniformly good.

GENERAL CARE OF PRISONERS

Special inquiry was made into the care of prisoners and their general treatment by the Sheriff. It was found that rigid rules as to the personal cleanliness of prisoners are enforced. Showers are provided and baths may be taken daily; weekly baths are required of all prisoners. Regular exercise is provided. Once each day between the hours of 1 and 3 p. m., prisoners are taken from their cells into the corridors for exercise and change. They can be visited by friends and advisors at these hours, except on Saturday and Sunday. Religious services are conducted each Sunday between 2 and 3 p. m., under the direction of the Women's Christian Temperance Union. Magazines are supplied to the prisoners by various philanthropic agencies. The public library maintains a branch library in the juvenile department of the jail.

Sheriff Hirstius is to be commended for the good sanitary conditions about the jail and for the general good care of the prisoners placed under his charge.

FEEDING OF PRISONERS

The feeding of prisoners is made the duty of the Sheriff, and the law provides that he shall be "allowed by the County Commissioners not less than 45 cents or more than 75 cents per day for keeping and feeding prisoners in the jail." This has been interpreted to mean that the Sheriff shall furnish the food, provide the utensils for cooking, and pay for the cooking and serving of the food to the prisoners. For this service the Commissioners

cannot pay him less than 45 cents per day per prisoner, nor more than 75 cents. A contract is made by the County Commissioners with the Sheriff for this service. The last contract was entered into with Sheriff Hirstius on August 12th, 1911, which runs until the close of his term of office on January 1, 1913. It reads as follows:

AGREEMENT

This agreement, made and concluded this 12th day of August, A. D. 1911, by and between the County of Cuyahoga, by its Board of County Commissioners, composed of W. F. Eirick, John G. Fischer and Harry L. Vail, first party, and A. J. Hirstius, Sheriff of Cuyahoga County, second party.

Witnesseth: It is hereby agreed that second party receive for keeping and feeding of all insane prisoners confined in the jail of Cuyahoga County, Ohio, the sum of seventy-five (75c) cents per day, and that for the keeping and feeding of all other prisoners confined in said jail the sum of fifty (50c) cents per day.

This contract shall not apply to, and first party shall not be bound to pay for keeping and feeding of United States prisoners confined in said jail, nor any other prisoners except those properly chargeable to the first party by the laws and statutes of Ohio.

Payments under this contract shall be made upon the presentation of a certified bill by second party, setting forth the names of and number of days each prisoner is kept and fed in said jail, said payment to be made monthly. This contract to continue in force until the further order of the board and in any event shall terminate on the 1st day of January, 1913.

In witness whereof the parties hereto have set their signatures the day and year first above written.

Signed by

County Commissioners.

Signed by

Sheriff.

The contract provides in brief: First, the Sheriff shall receive 75 cents per day for feeding insane patients and 50 cents per day for feeding all other prisoners; second, payment for this service shall be made monthly by the Commissioners.

It will be noted that there are no specifications as to the amount and quality of food which the Sheriff shall supply. Inquiry has been made to ascertain upon what basis the 50 cents per prisoner per day charge was fixed. No investigation, it seems, was made by either party to the contract to ascertain the actual cost of food or the amount which the prisoners should be allowed.

The Commissioners could not pay less than 45 cents, but they accepted without question the price which has been in force for at least ten years, and left the whole question of quality and quantity of food to the discretion of the Sheriff, assuming that he would feed the prisoners the full amount.

BILL OF FARE

The following table indicates the weekly bill of fare for the prisoners. This, of course, changes somewhat with the season:

Sunday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Hungarian Goulash and Bread Pudding
	Supper	Bread, Coffee, Sugar
Monday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Corned Beef and Cabbage, Potatoes
	Supper	Bread, Syrup, Coffee, Sugar
Tuesday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Fresh Beef, Pea Soup, Potatoes
	Supper	Bread, Coffee, Sugar
Wednesday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Baked Pork and Beans, Boiled Potatoes
	Supper	Bread, Syrup, Coffee, Sugar
Thursday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Lamb or Veal Stew with Dumplings
	Supper	Bread, Coffee, Sugar
Friday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Fresh Beef, Bean Soup and Potatoes
	Supper	Bread, Syrup, Coffee, Sugar
Saturday	Breakfast	Bread, Coffee, Sugar
	Dinner	Bread, Fresh Beef, Pea Soup and Potatoes
	Supper	Bread, Coffee, Sugar and Stewed Prunes

If the prisoner wants a dessert with his dinner he can purchase a piece of pie for 5 cents from one of the "trusties," who is authorized by the Sheriff to purchase and sell pies to the prisoners. No prisoner is permitted to have his meals brought in from the outside.

COST OF THE FOOD

Sheriff Hirstius makes the claim that the 50 cents per prisoner per day for food is only a fair allowance and that all of that sum is either spent by him on the regular meals or for the special dinners on Thanksgiving, Christmas and other holidays. The Sheriff was requested by the Municipal Association to permit an audit of his accounts for feeding prisoners. He replied that all bills were destroyed a month after they were paid and that a satisfactory audit would be impossible.

In order to determine the fairness of the 50-cent charge per

prisoner the Association secured the services of two practical restaurant men, W. H. Wilcox, in charge of the restaurant at William Taylor Son & Company, and G. K. Clarke, steward at the Chamber of Commerce Club, and asked them to visit the jail, examine the food, watch the serving of the meals, and upon the facts thus ascertained make an estimate of the average cost per day per prisoner for the food thus served, including the cost of gas for cooking and the wages paid to the cook by the Sheriff. These are the only items of expense chargeable to the Sheriff, according to his statement. The serving of the food is attended to by the deputies or the trustees in the jail. The report of the committee included detailed figures showing cost of each item of food with proper allowance for gas, utensils and special dinners. The conclusions of the committee are contained in the following letter:

"July 25th, 1912.

"Mr. Mayo Fesler, Secretary,
"The Municipal Association,
"Cleveland, Ohio.

"Dear Sir:

"In accordance with the instruction of the Executive Board of the Municipal Association, we have visited the jail, examined the food, talked with the Chief Deputy Sheriff, Jailer and cook, watched the serving of the food and observed the quantity served to each prisoner.

"Basing our figures upon these facts, upon the printed bill of fare, and upon the other expenses devolving upon the Sheriff for the feeding of prisoners, and assuming that every prisoner was served his three meals for each day included on the jail register, we have estimated that the average cost to the Sheriff for this service ought not to be in excess of 17c per day per prisoner.

"Yours truly,

"(Signed) W. H. Wilcox,
"G. K. Clarke."

COST IN OTHER SIMILAR INSTITUTIONS

The estimates of Messrs. Wilcox and Clarke are confirmed by figures received from the Director of Charities and Corrections on the cost of feeding prisoners in the Work House. The daily average number of prisoners in the Work House in 1911 was 373, and the cost of the food, including the cooking and serving of the meals, according to the written statement of the Superintendent, is about 11 cents per prisoner per day. The supplies which come from the farm are charged against the Work House

at market prices, and the bill of fare is even more extensive than that of the jail. The daily average attendance in the jail is, of course, much less than one-fifth of that in the Work House. But the difference in number does not account for the difference between 11 cents and 50 cents, the present price paid to the Sheriff.

The County Commissioners have had for a number of years an arrangement with the City whereby prisoners committed to a Work House sentence are cared for in the City Work House at County expense. It is interesting to note the difference in the contract made by the County Commissioners with the Sheriff and the one recently made with the City for the care of such County prisoners. The Commissioners allowed the Sheriff 50 cents per day per prisoner for furnishing the food, cooking and serving it to the prisoners; all other bills are paid by the County. The Commissioners, on the other hand, entered into a contract with the City to pay it 45 cents per day per prisoner for "boarding, clothing and maintaining prisoners." The City furnishes and maintains the building, furnishes heat and light, and clothes and feeds the prisoners. We have been unable to get a satisfactory explanation for this difference in the contract price.

COST OF FEEDING PRISONERS IN OTHER COUNTIES

Inquiry was made of the sheriffs in populous counties in other states where the conditions are similar and where an accounting is made by the sheriffs to the county for every item of expenditure. The actual cost in these counties, as reported by the sheriffs further tends to confirm the estimate of Messrs. Wilcox and Clarke, as is shown by the table on opposite page.

County and State	Number Prisoners Days Occupied in 1911	Average Daily Bill of Fare	Cost per Day per Prisoner
Minneapolis Co., Minn., Minneapolis	11,370	Breakfast Bread, Butter, Coffee.. Dinner Soup, Meat, Potatoes, Bread, Tea Supper Bread, Syrup or Pre- serves, Coffee .....	.28c
Cook County, Ill., Chicago	210,000	Breakfast Bread, Coffee Dinner Beef Stew, Potatoes, Bread Supper Bread, Bean Soup.....	.17c
Allegheny Co., Pa., Pittsburgh	150,000	Breakfast Bread, Coffee Dinner Hamb'rg'r Steak, Bread Supper Soup, Coffee, Bread....	.19½c
Erie Co., N. Y., Buffalo	no figures	Breakfast Bread, Coffee Dinner Beef, Potatoes Supper Bread, Tea .....	.17c
Middlesex Co., Mass., Boston	17,850	Breakfast Meat, Hash or Eggs, Bread, Butter, Coffee Dinner Corned Beef, Cabbage, Potatoes, Bread Supper Bread, Tea, Prunes....	.1498c
Cuyahoga Co., O., Cleveland	24,580	Breakfast Bread, Coffee Dinner Corned Beef, Cabbage, Potatoes, Bread Supper Bread, Coffee, Syrup...	.50c

CHARGING FOR MEALS

It will be further noted that Messrs. Wilcox and Clarke, in their estimate, assumed that every prisoner is served his three meals for each day. The charge against the County for the feeding of prisoners is based upon the number of days a prisoner is in jail. If he is in jail only one hour and eats no meals at all the County is charged for one day. If he is entered on the jail register before 8 p. m. and is released at any time the next morning the County is charged two days. If he is registered at 11 p. m., and is released at 11 a. m. the next morning, the County is charged with a full day. In short, the County is charged for many meals which are never, in fact, furnished to the prisoners.

Under the present system of jail registering it is impossible, however, for the County to determine the hour of the day when the prisoner is registered or released. The only time information which is provided in the jail register is the day of the month. From investigations which we have made in other cities of the

State and outside the State, it is fair to assume that 10 per cent of the charges in this County, in so far as the question of meals is concerned, are charges in excess of the number of meals fed. If the Sheriff were paid only for the actual meals furnished to prisoners and for the actual food consumed, as shown by the bills, it is quite clear that the sum paid him by the County would be considerably less than at present.

EXCESS CHARGES IN FOUR YEARS

In order to make ample allowance for the holiday dinners furnished to the prisoners by the Sheriff, which were really included in the estimates of Messrs. Wilcox and Clarke, we have added 3 cents to their estimates. On that basis the following table, compiled from the Sheriff's report to the State Bureau of Charities, will indicate the extent of these excess charges during the past four years:

Year	THE PRICE PAID			ACTUAL COST		
	No. of Prisoner Days per Annum	Price per Diem	Actually Received from County by the Sheriff	No. Prisoner Days Less Discount of 10% of Days	Actual Cost per Diem	Amt. which County Should Have Paid
1908	28,272	50c	\$13,136.00	25,444	20c	\$ 5,088.80
1909	31,374	50c	15,687.00	28,236	20c	5,647.20
1910	23,331	50c	11,165.75	20,997	20c	4,199.40
1911	24,581	50c	12,290.25	23,133	20c	4,426.60
			\$52,279.00			\$19,362.00

These figures, which we believe are conservatively fair, would indicate that Cuyahoga County is paying to the Sheriff 30 cents per day more for meals than they actually cost him, and during the past four years has paid him approximately \$32,000 in excess of the actual cost for the food and service.

It must be kept in mind, however, that the Commissioners are compelled by law to pay him not less than 45 cents per prisoner per day and not more than 75 cents, but the law leaves to them the determination of the nature of the contract which they make with the Sheriff within the limits of the prices fixed by law.

The question of the right of the Sheriff to charge for a full day, or even two days, when less than three meals are eaten by the prisoner, was submitted by the Sheriff of one of the rural counties to the Bureau of Inspection and Supervision of Public Offices in 1908. The question, as stated by him, was "whether a Sheriff is authorized to charge the county two per diems as allowed for feeding prisoners in a case where the prisoner is committed in the afternoon of one day and released the next, hav-

ing had one meal; in other words, whether fractional parts of days should be counted as whole days." The head of the Bureau, Mr. Peckinpugh, replied "that the matter of fixing the compensation of the Sheriff for this service is entirely within the discretion of the County Commissioners, except that a maximum and a minimum is fixed by the statute."

Mr. Hirstius says that he took this question up with the State Examiner when he first entered office, and was instructed to charge full days in every case, and that if he did not the Examiners would later find it a charge against the County which would show as a clerical error on the Sheriff's books.

COUNTY COMMISSIONERS' NEGLIGENCE

It is clearly apparent then that the County Commissioners have not, in this contract for the feeding of prisoners, acted to the advantage of the County. The contract should have provided for fractional days and an exact accounting for every meal served to every prisoner; some specifications as to the quantity and quality of food furnished; and monthly statements to the Commissioners including every item of cost in feeding prisoners. Even though they could not pay less than 45 cents, the information regarding the cost would have served as a future guide in fixing the price. No reasonable excuse, as far as we have been able to ascertain, can be offered by the Commissioners for granting a charge of 50 cents when it could have been fixed at 45 cents per prisoner; and when a most cursory investigation would have made it clear to them that even 45 cents was an excessive rate for the amount and quality of food served.

The point has been made that the law fixing the minimum at 45 cents contemplates better food and more in quantity than is now being fed to prisoners. The cost to the County would certainly justify such a conclusion; but the food at present served is wholesome and, according to reliable experts, is sufficient for men leading the sedentary life of prisoners. Moreover, it must be remembered that the County Jail is not intended to be a summer hotel nor a Pullman dining car. Violators of the law, who are a dead expense to the community, are entitled to no more nor better food than is actually necessary for their health and comfort. We believe the present food, both as to quantity and quality, is sufficient, and that the conditions under which it is served are satisfactory from the point of view of cleanliness, cooking and sanitation.

SURVIVAL OF FEE SYSTEM

The present arrangement, whereby the Sheriff is paid a lump sum and is given authority to purchase the kind and amount of food for prisoners without any supervision or regulation, is a survival of the very unjust and wasteful fee system from which this State tried to rid itself some years ago. Not only is Cuyahoga County compelled to pay overcharges to an amount approximating **\$8,000 annually**, but the treasuries in other populous counties are drained by this unnecessary expenditure to an even greater extent proportionately, for the reason that they pay a higher rate per prisoner per day, as shown by the following table:

JAIL STATISTICS—June 30, 1910

County	Price per Diem for Feeding Prisoners	Received from County for Maintenance of Prisoners 1909-10	Population of County
Franklin (Columbus)	60c	\$14,072.40	221,567
Hamilton (Cincinnati)	65c	12,916.00	460,732
Cuyahoga (Cleveland)	50c	11,165.95	627,425
Lucas (Toledo)	50c	9,868.00	192,728
Mahoning (Youngstown) .	70c	9,793.00	116,151
Montgomery (Dayton)	60c	7,567.20	163,763

CHANGE IN THE LAW

A change in the laws relative to the feeding of prisoners should be made, and it is the intention of the Association, at the next session of the General Assembly, to urge the passage of a law whereby the Commissioners in populous Counties may either contract for the feeding of prisoners at a price not to exceed fifty (50) cents per prisoner per day or authorize the Sheriff to purchase the food and submit to the Board monthly statements, including all bills for payment covering these expenditures. Such a statute (Section 1365-12, Bates Annotated Statutes of Ohio, 1900) formerly existed, but for some unknown reason was repealed. This statute read:

"The cost of maintaining prisoners in the County Jail shall be paid out of the County Treasury on the warrant of the Auditor, approved by the County Commissioners. The Sheriff shall render monthly to the County Commissioners an itemized and accurate account, with all bills, showing the actual cost of maintaining the prisoners. The amount which shall be left after deducting such actual cost from the sum now provided by law for maintaining such prisoners shall be paid into the fee fund on the warrant of the County Auditor."

Another change in the law which will be recommended in the interest of economy and protection to the County is an amendment to Section 3158, Revised Code, relating to the jail register. This section at present requires only the date of the commitment and the date of discharge, and makes no requirement as to the hour of commitment and discharge. A slight amendment including this item, and defining what a prisoner day shall be, will save the County the 10 per cent of excess charges indicated above.

A change should also be made in the provisions for the appointment and dismissal of the matrons in the women's department. The three matrons are appointed by the Sheriff, but the appointment must be approved by the Probate Judge (R. S., Sec. 3178), and no matron can be removed from office except for cause, and then only after a hearing before the Probate Judge.

Practical experience in this County in a test case has proven that this method of appointment and removal is unsatisfactory. The Sheriff should have the sole right of appointment, under the merit system, and absolute power of dismissal for incompetency or neglect of duty. A change to this effect in Section 3178 is especially desirable in view of the fact that a civil service law, placing appointive county offices under the merit system, must be passed by the next session of the legislature in compliance with the constitutional amendment recently adopted.

A NEW JAIL

In this study of the Sheriff's office we have not lost sight of the physical difficulties confronting the Sheriff in his care of the prisoners. The present jail building is seriously inadequate to meet the present needs.

Location. The completion of the new Court House and the transfer of the civil courts, including the Probate Court, to the new building and the retention of the criminal and juvenile branches in the old Court House has made necessary a division of the Sheriff's office. The civil department is in the new Court House, while the jail and criminal department remain in the old Court House. The County Commissioners are at present planning to equip two small rooms now occupied by the Sheriff as detention rooms for the insane patients. This will make their examination by the Probate Court extremely inconvenient.

A jail building near the new Court House would not only remove these inconveniences but would also make the transfer of

prisoners and insane patients to the depot for transportation to Mansfield, Columbus, Lancaster and other institutions much more convenient and less expensive. The present location of the jail makes it necessary to unload prisoners and insane patients in front of the Sheriff's office, practically on the Public Square, where they are subject to the annoyance of the gaping crowd. There should be a jail yard where prisoners can be received and taken to their cells out of sight of the curious. This is not possible at the present location.

The women's department opens upon Frankfort avenue on the one side and into a court yard on the other, where hundreds of people pass daily from one building to the other. The room for juvenile offenders is directly above the women's department, is fully as public, and has long since proven inadequate. Both of these departments should be protected from the public eye as much as possible.

Arrangement of Cells. In the present jail all prisoners are confined in their cells except during the time when they are permitted to be in the exercise corridor between the hours of 1 and 3 p. m. Their cells are enclosed with flat crossbars which make them unnecessarily dark. The prisoners confined therein for twenty-two out of the twenty-four hours per day are compelled to use artificial light. The present jail was built according to the old methods of construction, and instead of having the cells along the walls, so that light and air could penetrate, they are placed in the center of the building with a wide corridor between them and the outer wall. The present arrangement of the cells with the only exercise corridor on the first floor makes it impossible to classify male prisoners with any regard to the seriousness of the crimes for which they are charged. A person detained as a witness is compelled to associate with those charged with theft, murder and other crimes.

The jail is the one institution above all others where the association of inmates should be prevented. Friendships between novices and confirmed criminals have often resulted in making the novices confirmed criminals. New acquaintances and friendships should be made as difficult as possible. This cannot be done with the present arrangement of the cells and the exercise corridor.

Hospital. The only provision for a hospital in the present jail is a small illy ventilated room in one corner of the building, which will accommodate only two patients and furnishes abso-

lutely no seclusion or quiet. The hospital accommodations are wholly inadequate.

Some of these conditions can be remedied by remodeling the present jail, but the most serious ones can be removed only by the construction of a new jail. Mr. Hirstius has frequently called attention to these conditions and has sought the help of officials and public organizations in the effort to secure a new jail. A new one, in our opinion, should be constructed near the new Court House along the most improved lines of construction suggested by experts in that type of buildings. If it is to be a part of the group plan, as has been suggested, its exact location should be determined by the Group Plan Commission, and its style of architecture should be made to conform to the general plan.

ORGANIZED POLICE PROTECTION IN THE COUNTY

In August, 1910, Sheriff Hirstius was instrumental in perfecting an organization known as "The Minute Men of Cuyahoga County," composed of the mayors, marshals, constables and other officers of the villages and townships in the county outside of the city of Cleveland. The organization, purely voluntary in character, is intended to furnish better police protection to the people living in outlying sections of the County where no regularly organized police force exists. The Sheriff has compiled a booklet containing the names of the members of the organization, their addresses and telephone numbers; general instructions as to how a resident of the County should proceed in case a crime is committed in his neighborhood, and other information which will aid in preventing violations of the law in rural sections of the County. The telephone companies have co-operated in the work and the Sheriff reports that the new organization has rendered valuable assistance on a number of occasions. Until the State provides for a rural constabulary, as it must do in the near future, this voluntary and unremunerated organization should have the hearty support and co-operation of the entire County.

In this report on the Sheriff's office we have tried to bring out especially those defects which indicate a need of greater economy and efficiency. We have also sought to point out those features of the present Sheriff's administration which deserve commendation. The reports of the State examiners made to the Auditor of State and covering the accounts of the Sheriff, including the fixing and collecting of fees, the charges against the

County for the feeding of prisoners, and the various items of expense in serving writs and transporting prisoners, are uniformly favorable. They report the clerical work "unusually well executed," and the books "accurately and neatly kept."

Inquiry has been made from those qualified to know of the quality of service rendered by Mr. Hirstius during his four years' term as Sheriff. Furthermore, the Association has had occasion to investigate his record twice when a candidate for re-election or for nomination to another office. We desire to say in conclusion that his administration of the office has been found to be generally satisfactory. The jail has always been found in a sanitary condition, the food for prisoners has been wholesome and sufficient, and his care of prisoners committed to his charge has been, under all circumstances, humane and considerate.

September 1914

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EXTENSION SERIES NO. 9

Syllabus of Home-County Club Studies

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CHAPEL HILL, N. C.

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FOREWORD

Nine-tenths of the power of seeing a thing as it is, turns out to be one's power of seeing it as it is going to be.—GERALD STANLEY LEE.

1. The County Clubs at The University of North Carolina are volunteer organizations devoted to the study of home-county and mother-state conditions and problems—economic, social and civic.

The Club members believe that a proper study for North Carolinians is North Carolina. They are bent upon intimate, thoughtful acquaintance with the forces, agencies, tendencies, drifts and movements that have made the history we study today, and that are making the history our children will study tomorrow.

2. Each county is compared with itself during the last census period, in order to learn in what essential particulars it is moving forward, marking time, or lagging to the rearward.

But also, it is compared with other counties of the State in every phase of the study, in order to show its rank and standing; or so, as far as possible.

Meanwhile the State as a whole is being set against the big background of world endeavor and achievement. Citizenship needs to be broadly thoughtful, competent, and patriotic everywhere; and also it needs to escape being narrowly parochial and provincial anywhere.

3. The federation of County Clubs is The North Carolina Club, which devotes one hour each week to defining, discussing and interpreting the results of the various individual Club studies.

4. The headquarters of The North Carolina Club are the seminar room of the Department of Rural Economics and Sociology in the Peabody Building. It is open all day every day, except upon Tuesday, Friday and Saturday afternoons. Here is a clearing-house, a ready reference library, of exact information about North Carolina, in matters economic and social.

5. This economic and social reference library at the University will be brought into efficiency as rapidly as possible.

A purpose of The North Carolina Club is to campaign the organization of similar Home-Study Clubs in every county and community of the State. The central reference library in the headquarters of the Club at the University is a source of such economic and social information as may not be readily at hand to extra-campus clubs.

Inquiries by letter will receive prompt attention. If the information wanted about the county or the State has not already been assembled,

the utmost endeavor will be at once made to secure it from the various scattered sources of such data.

The Home-Study Clubs are an effort toward direct and single-minded preparation for intelligent, effective service to the mother-state.

The North Carolina that was, challenges the pride of her sons and daughters; the North Carolina that is, calls for familiar, loving acquaintance; the North Carolina that is to be, depends upon the competent citizenship of her children.

COUNTRY-LIFE PROBLEMS A MAIN MATTER

The County Club studies, herein outlined, largely concern our rural problems and their solution; and properly so because country civilization bulks big in North Carolina.

1. Our country dwellers outnumber our townspeople more than six to one. Nearly five-sixths of the school children of the State are country children. Nearly four-fifths of all the church members in North Carolina are in the countryside. The white voters in our country precincts outnumber our white voters in the towns and cities nearly six to one.

Barely more than five hundred thousand people in North Carolina in 1910 lived in cities and towns, or incorporated places of any size whatsoever. But nearly one million seven hundred thousand of our people lived in the open country.

If democracy concerns the greatest good of the greatest number, country life in North Carolina deserves to occupy the foremost place in the activities of both the church and the State.

2. But also, agriculture is the biggest business in North Carolina—biggest in the total capital employed, in the wealth annually created, and in the number of people engaged in it.

The capital invested in agriculture in the census year was nearly two and a half times the amount invested in manufacture of all kinds. The farm wealth created, in crops and animal products, was nearly twice the wealth created by our mills and factories in the processes of manufacture. While the people engaged in farming outnumbered all other bread-winners and wage-earners nearly exactly two to one.

Education or legislation that neglects or overlooks the countryside problem in North Carolina sins against the majority of her people, the bulk of her business capital and the chief sources of her well being and welfare.

3. Our civilization rests at bottom on the wholesomeness, the attractiveness, and the completeness, as well as the prosperity, of life in the country, says The Country Life Commission. Upon the development of country life rests ultimately our ability, by methods of farm-

ing requiring the highest intelligence, to continue to feed and clothe the hungry nations; to supply the city with fresh blood, clean bodies, and clear brains that can endure the terrific strain of modern life. We need the development of men in the open country, who will be in the future, as in the past, the stay and strength of the nation in time of war, and its guiding and controlling spirit in the time of peace.

SOURCES OF INFORMATION

Facts without opinions are useless; opinions without facts are impertinent or mischievous or worse. To be steeped in a ruck of mere opinions is a sad and sorry state of existence.—THE HOME AND FARMSTEAD.

In general: direct personal inquiry, special field investigations; the newspapers and newspaper files; old account books, letters, bills and receipts; the records of the courthouse offices, the presentments of the grand juries; the maps, bulletins and reports of the various State departments, commissions, and institutions; the publications of the Federal bureaus and offices—the county soil surveys, the topographical, geological, and postal route maps, the census reports; public and private libraries; minutes of the various church bodies; programs and publications of the educational, agricultural, industrial and financial organizations of the State; the Club library upon economics and sociology, and the Club files of accumulating data about North Carolina.

Bibliographies of definite source materials at the University are at hand for ready use here in every section of the Home-County studies.

They are also at the service of extra-campus Home-Study Clubs. Specific information about economic and social conditions and problems in North Carolina can be promptly secured by letter; or will be assembled and transmitted to the enquirer at the earliest possible moment.

HOW TO USE THE SYLLABUS

Intimate, familiar acquaintance with one's Mother-State is a direct appeal to intelligent civic conscience and concern. We will serve our State better when we know her better.—THE HOME AND FARMSTEAD.

1. Ask for definite instructions about source materials.
2. Note briefly and accurately the bare facts called for.
3. State definitely the sources of information: direct personal investigation; correspondence—with whom, date; title and page of pamphlets, bulletins, reports, or volumes used, etc.

4. When the county studies have been finished, translate the results into a simple running narrative (1) for publication by sections in the newspapers of the home county, and (2) for publication in bulletin form, as a brief text-book for study in the county high schools, for use in the teachers' institutes, for thoughtful reading in the farm homes, for discussion by the ministerial association and for the consideration of the merchants and bankers of the county.

5. Every section of the study ought to be marked by a consideration of conditions, causes and consequences, along with a constructive program aimed at the checking of untoward drifts and tendencies, or the hastening of advantageous forward movements.

6. In particular, the burden of study is: My Home-County—Where it Leads, Where it Lags and the Way Out.

E. C. BRANSON.

CONTENTS

	PAGE
Foreword	3
Country-Life Problems a Main Matter.....	4
Sources of Information	5
Use of Syllabus	5
I. Historical Background	8
II. Natural Resources	8
III. Population Studies	9
IV. Country Populations	10
V. Wealth Studies	12
VI. Domestic Animals	13
VII. Live Stock Products	14
VIII. Production of Crop Wealth.....	16
IX. Organization and Co-operation	18
X. Rural Credits	19
XI. Markets	23
XII. Improved Public Highways. Railway Facilities.....	27
XIII. School Studies	29
XIV. Public Health and Sanitation.....	34
XV. Church and Sunday School Studies.....	38
XVI. The Farm Home.....	41

Syllabus of Home-County Club Studies

I. HISTORICAL BACKGROUND

The true test of civilization is not in the census, nor the size of cities, nor the crops—No—but the kind of men the country turns out.—EMERSON.

1. Brief historical sketch of the county.
 2. Racial strains and influences.
 3. Noteworthy (1) localities, (2) memorials, (3) achievements, (4) events, (5) personages.
 4. Subjects for theses or discussions: The Scotch-Irish in North Carolina History. The German-Lutherans in North Carolina. The Moravians in North Carolina. The Friends and their Influences. Cotton Culture in North Carolina: Beginning, Development and Importance. The Development of Cotton Manufacture in North Carolina; Tobacco Manufacture; Furniture Manufacture.
 5. Sources of Information (indicated in definite foot notes, as used in the course of these studies).
-

II. NATURAL RESOURCES

The prosperity of a country depends not on the abundance of its resources nor on the strength of its fortifications nor on the beauty of its public buildings.

It consists in the number of its cultivated citizens, its men of education, enlightenment, and character.

Here is to be found its true interest, its chief strength, its real power.—MARTIN LUTHER.

1. Location and area, topography and climate, health conditions.
2. Natural sources of wealth in the county:
 - (1) Fisheries—population engaged; capital invested; annual output; conditions and problems; needed legislation.
 - (2) Mineral deposits—kinds and localities; active mining industries; population engaged; capital employed; annual output; undeveloped resources.
 - (3) Forest area—extent, character and value; annual timber cut; wood-working industries; population engaged; total capital employed, annual output; forestry problems; needed legislation.

- (4) Water powers—available, used, how used; mills and factories, number and kinds, total population engaged, total capital employed, annual output.
 - (5) Soils and seasons—soil areas and characteristics; crop adaptations, farm activities and opportunities; population engaged; capital employed; typical farm system of the county, defects or advantages; total annual farm wealth produced by crops and animal products; per capita wealth of country populations, comparisons; sources of annual farm wealth, in order of importance.
3. Subjects for theses or discussions: North Carolina—the Land of Opportunity. Our Unprotected, Undeveloped Fisheries. The Forestry Problems of North Carolina. Our Water Powers and Their Development. The Control and Regulation of Water Powers. Our Undeveloped Farm Areas. The Production and the Retention of Farm Wealth. Our Economic Surplus; its Bulk and Significance. The Economic Classes of North Carolina.
 4. Sources of information (indicated as in other sections of these studies).

III. POPULATION STUDIES

I am saddened when I see our successes as a nation measured by the number of acres under tillage or the bushels of wheat exported; for the real value of a country must be weighed in scales more delicate than the Balance of Trade.

The garnerers of Sicily are empty now, but the bees from all climes still fetch honey from the tiny garden plot of Theocritus. On a map of the world you may cover Judea with your thumb, Athens with a finger tip, and neither of them figures in the Prices Current; but they still lord it in the thought and action of every civilized man.

Did not Dante cover with his hood all that was Italy six hundred years ago? Material success is good, but only as the necessary preliminary of better things.

The measure of a nation's true success is the amount it has contributed to the thought, the moral energy, the intellectual happiness, the spiritual hope and consolation of mankind.—JAMES RUSSELL LOWELL.

- | | |
|----------------------------|--------------------|
| 1. Total population, 1910? | Per cent increase? |
| Rank? | |
| White population, 1910? | Per cent increase? |
| Rank? | |
| Negro population, 1910? | Per cent increase? |
| Rank? | |

Rural population, 1910?

Per cent increase?

Rank?

Urban population, 1910?

Per cent increase?

Rank?

2. If there is a large and growing city in the county, give population figures, per cent of increase and rank as above.
3. Rural population to the square mile? Rank?
4. Subjects for theses or discussions: Sparsity of Population—effects upon values, upon the movement of populations, public enterprises, organization and co-operation, law and order, schools and churches. The Isolation of Farm-Life in America—contrasted with other countries; consequences. Rapidly Increasing Populations—causes? effects? Decreasing Populations—causes? effects? "Growing cities like standing armies tend to destroy the regions upon which they subsist"—why? instances in North Carolina? "The existence and future prosperity of a city depend upon its being the center of a well-developed food-producing region"—why? instances? The Policy of Modern City Boards of Trade. North Carolina's Loss of Native-born Population by Inter-State Migration—the total loss, the causes. Is the Negro Resisting the Lure of City Life and Sticking to the Farm Regions better than the Whites in North Carolina?—where? why? effects? The white population of North Carolina increased 18.7 per cent during the last census period; the negroes, only 11.7 per cent—account for the difference. The Black Majorities in North Carolina—where? why? Increasing Negro Majorities in North Carolina—where? why? Race Segregation by Law.
5. Sources of information.

IV. COUNTRY POPULATIONS

Most men when they die are dead—dead as Dickens said Mr. Marley was—"dead as a doornail!"

Some men are taller when they lie down to die than when they stood up alive.

They were community-builders; not always in things material; but always, with no exception, in things spiritual—which is better.

—THE HOME AND FARMSTEAD.

1. Country population:

- (1) Total population of the county, outside of towns containing 2,500 or more inhabitants?
- (2) Total population in the smaller towns and villages?
- (3) Total dwellers in the open country?

- | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------|
| | (4) Farm population: | White | Negro |
| | | Total | |
| 2. | Total land-owners—White 1910 | | Negro 1910 |
| | Total | | |
| | | White 1900 | Negro 1900 |
| | Total | | |
| | | Increase | Increase |
| | Increase | | |
| | | Increase % | Increase % |
| | Increase % | | |
| 3. | Farm owners who tilled the lands they owned—White 1910 | | |
| | Negro 1910 | Total | |
| | Farm owners who tilled the lands they owned—White 1900 | | |
| | Negro 1900 | Total | |
| | Increase | Increase | Increase |
| | Increase % | Increase % | Increase % |
| 4. | Rank of the county in ownership-farming? | | |
| 5. | Absentee-landlords—White 1910 | | Negro 1910 |
| | Total. | | |
| | Total acreage owned? | | |
| | Prevailing form of tenant contracts? | | Describe briefly. |
| 6. | The total landless, homeless population of the county in 1910— | | |
| | White. | Negro. | Total. |
| | Is it increasing? | Why? | |
| 7. | Subjects for theses or discussions: The More Rapid Growth of Urban Populations—causes? consequences? Village Problems. Advantages and Disadvantages of Country Life. Conditions of Child Labor on the Farm and in the Factory. The Concentration of Farm Land Ownership—instances? causes? consequences? Our Unproductive Farm Areas—the problem? the causes? the remedies? The Rapid Rise in Farm Land Values—causes? consequences? remedies? Farm Tenancy—causes? effects—economic and social? Our Increasing Landless Multitudes—causes? consequences? remedies? Why the Farm Tenant in the South? Our Supply-Merchant System. The Absentee-Landlord. Tenancy Contracts—forms? advantages or disadvantages? effects? suggestions. | | |
| 8. | Sources of information. | | |

V. WEALTH STUDIES

When private wealth is rightly related to community weal, when wealth and commonwealth are one, increasing progress will no longer mean increasing poverty; and increasing magnificence, increasing misery. The tooth-and-claw struggle for survival and supremacy in modern Christendom is a shameful denial of the mind and message of the Master.—THE HOME AND FARMSTEAD.

1. Total taxable wealth of the county? Increase from 1900 to 1910? Rank?
 - (1) Increase—Why large or small?
 - (2) Per capita wealth of population (based on 1910 tax digest)?
 - (3) Per capita annual increase?
2. Total farm wealth of the county (based on the 1910 census)? Increase during last census period? Rank?
 - (1) Increase—Why large or small?
 - (2) Compare total farm wealth with the total taxable wealth of the county? Conclusions?
 - (3) Per capita wealth of country population? Rank? Compare with (a) the average for the State, (b) the United States, (c) with other southern states?
 - (4) Why large or small?
 - (5) Average per-acre tax value of farm land? Average census value per acre? Compare the two values. Conclusions?
 - (6) Compare this ratio with similar ratios for other counties in the State. Rank of the county.
3. Farm property, 1910 census:
 - (1) Approximate area? Land in farms? Increase or decrease since 1900? Why?
 - (2) Improved land in farms? Increase or decrease since 1900? Why?
 - (3) Uncultivated area? Why uncultivated? What are the obstacles? the opportunities?
 - (4) Total value of the farm buildings? Average per farm? Comparisons? Why large or small?
 - (5) Total value of farm implements and machinery? Per cent of increase during census period? Comparison? Rank? Why high or low? Per-acre investment in farm implements? Comparisons? Rank? Why high or low?

- (6) Total value of domestic animals? Per-acre value?
Comparisons? Rank? Why high or low?
4. Negro property ownership:
(1) Number of acres owned in 1900? In 1910?
Increase %?
(2) Total aggregate wealth in 1900? In 1910?
(3) Per capita wealth in 1900? In 1910?
(4) Conclusions?
5. Farm mortgage indebtedness:
Farms with mortgage debt, 1910, White % Negro %
Total % Rank? Significance?
6. Subjects for theses or discussions: Our Per Capita Wealth: a study in comparisons. Are Farm Properties Bearing an Unreasonable Share of the Tax Burden? The Tax Values of Farm Land in North Carolina: a study in contrasts. The General Property Tax—theory, defects, consequences. The Inequalities and Iniquities of our Tax System. New Zealand's Graduated Land Tax. Cash Operating Capital in our Farm Regions—the facts, the results. Factors in the Retention of Farm Wealth: the conditions in North Carolina. Farm Mortgage-Indebtedness in North Carolina: the total in 1910, the increase, the significance of it. Home and Farm Ownership: the facts, the economic and social effects. Increasing Property Ownership by Negroes: the facts, the causes, the consequences. Elbow-Room in North Carolina for Middle Western Home-Seekers: advantages and opportunities. Labor-Saving Farm Machinery in the South: comparisons, obstacles, increases. Our Investment in Domestic Animals: a study in contrasts. Our Barn-Yard Banks. Our Annual Fertilizer Bill: the facts, the causes, comparisons.
7. Sources of information.

VI. DOMESTIC ANIMALS ON FARMS AND RANGES, 1910 CENSUS

"And Abel was a keeper of sheep,"—a herdsman, a live-stock farmer, engaged in a business that enriches the soil. And the Lord had respect unto Abel and his offering.

"But Cain was a tiller of the ground,"—a grower of crops merely, engaged in a business that impoverishes the soil.

He forgot that the earth is the Lord's, and the fullness thereof. He was robbing God. And so, unto Cain and his offering He had not respect.—THE HOME AND FARMSTEAD.

1. Cattle—number? Increase per cent?
Rank? Number per 1000 acres of area? Rank?

2. Dairy Cows? Increase per cent? Number
per inhabitant? Rank?
 3. Horses—number? Increase per cent?
Horse colts? Increase per cent?
 4. Mules—number? Increase per cent?
Mule colts? Increase per cent?
 5. Cultivated acres per work-animal? Increase per
cent? Rank?
 6. Hogs—number? Increase per cent?
Rank? Number per 1000 acres of area?
 7. Sheep—number? Increase per cent?
Rank?
 8. Poultry—number? Increase per cent?
Rank?
 9. Bee swarms—number? Increase per cent?
 10. Dogs—number?
 11. Subjects for theses or discussions: The Beef-Cattle Industry in North Carolina—opportunities. Dairy Cows in North Carolina and Wisconsin: a study in contrasts. Horse Power on Southern Farms. Our Ham and Bacon Problem: the facts, the opportunities. Dairy and Poultry Products in North Carolina: a comparison.
- In 1910, we had in North Carolina 737,000 cattle and 484,000 hogs fewer than in 1850. During this period, our population multiplied two and a half times over; but our hogs decreased 26% and our cattle 46%—account for the decrease.
- A Dog License-Tax in North Carolina. A Dog Muzzle Law. Our Disappearing Sheep Industry.
12. Sources of information.

VII. ANIMAL PRODUCTS, 1910 CENSUS

Drawing breath in the South and drawing rations from the West makes permanent farm prosperity well nigh impossible, no matter how large our tobacco and cotton crops, or how high the market prices.

The farmer or the farm community with barns and bins, smoke-houses and cribs full of home-raised food and feed stuffs, is invariably prosperous, financially trustworthy, and a good credit risk.

—THE HOME AND FARMSTEAD.

- Domestic animals, sold or slaughtered: Calves?
Other cattle? Swine? Sheep and goats? Poultry?
- (1) Estimated total lbs. of meat produced (dressed weights)?

- (2) Total lbs. of meat needed (counting 152 lbs. per inhabitant, per year)?
- (3) Meat surplus or deficit? lbs.
Rank?
2. Milk—total gal. produced? Production per inhabitant,
per day? Comparisons?
3. Butter—total lbs. produced? Production per inhabitant,
per day? Comparisons?
 (1) Butter needed (counting 48 lbs. per inhabitant, per year)?
 lbs.
 (2) Butter deficit or surplus? lbs. Comparisons?
4. Eggs—total doz. produced? Production per inhabitant,
per week? Comparisons?
 (3) Eggs needed (counting 17 1-2 doz. per inhabitant, per
 year)?
 (2) Egg deficit or surplus? doz.
 Comparisons?
5. Value of live stock products:
 Dairy products?
 Poultry products?
 Honey and wax?
 Wool?
 Receipts from sale of slaughtered animals?
 Value of animals sold?
 Total? Comparisons?
6. Per Capita value of home-raised meat?
 Estimated total cost of imported meat?
7. Animal products—per cent of total farm wealth produced in 1910?
 Compare with Wisconsin.
 Conclusions?
8. Subjects for theses or discussions: Live-Stock Industries in North
Carolina: importance, obstacles, opportunities. Our Meagre Home-
Raised Meat Supply: the facts, the penalties, the remedies. Farm-
Tenancy and Live-Stock Industries. Animal Products in our
Cotton and Tobacco Counties: facts, causes, remedies. Market-
ing Crops on Four Legs Instead of Four Wheels: a study in
contrasts. Animal Husbandry and Soil Improvement. Markets
and Live-Stock Industries: relations, necessities. Ham and Ba-
con in North Carolina: the low cost of production, and the op-
portunities. The Parcels Post and the Farmer. Full Smoke-
Houses and Permanent Farm Prosperity: contrast North Caro-
lina and Iowa.
9. Sources of information.

VIII. THE PRODUCTION OF CROP-WEALTH, 1910 CENSUS

It is almost as true today as it was a century ago that the average nation's industrial welfare depends chiefly upon the raising of an abundant crop and its sale at fair prices.—THE NATION.

1. The gross total? Average per-acre yield?
Rank? Comparisons? Conclusions?
2. What per cent of the gross total is produced by cotton alone?
By tobacco alone? By food and feed crops alone?
3. The per capita food-producing power of the county (counting both food crops and animal products)? Rank?
Comparisons? Conclusions? Does the county raise a sufficiency of food and feed stuffs?
Deficit? \$ Surplus? \$ Check estimates by figures of merchants and freight agents.
Base estimates upon the following figures:
 - (1) The average cost of food per person in the South Atlantic States is around \$84 per year.
 - (2) A horse needs 1 lb. of grain and 1 lb. of forage per day for each hundredweight; or a thousand pound horse or mule needs around 65 bu. of corn, (or 114 bu. of oats) and 14-5 tons of forage per year; costing say, around \$100 per year.
 - (3) Count the cost of keep of other domestic animals, as follows: 2 cattle, 6 hogs, or 8 sheep, or 150 poultry=1 horse or mule.
4. To which type of farm system does your county, as a whole, belong: (1) the One-Crop, Farm-Tenancy, Supply-Merchant System; (2) the Many-Crop, Ownership-Farming System; (3) the Many-Crop, Ownership-Farming, Live-Stock System? Reasons for classifying your county? Advantages? Defects of the system?
5. Corn production, 1910 census:
Acreage? Total yield? Average per-acre yield?
Rank?
Per cent of gain or loss in acreage since 1900?
Percent of gain or loss in average per-acre yield since 1900?
Per capita production of corn, 1910 census?
Estimated corn surplus or deficit in 1910? in 1913?

Base estimate on North Carolina's per capita corn production in 1850 (34 bu.); in 1910 (15 bu.); or in 1913 (24 bu.) Population in 1910—2,206,087; in 1913—2,327,421.

6. Wheat production, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent of gain or loss in acreage since 1900?
Per cent of gain or loss in average per-acre yield since 1900?
Per capita production of wheat, 1910 census?
Estimated wheat surplus or deficit?
Base estimate on 6 bu. of grain consumed per person per year.
7. Oats production, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent of gain or loss in acreage since 1900?
Per cent of gain or loss in average per-acre yield since 1900?
8. Hay and forage production, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent gain or loss in acreage since 1910?
Per cent gain or loss in average per-acre yield since 1910?
Production per work-animal per day? Rank?
9. Sweet potatoes and yams, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent of gain or loss in acreage since 1900?
Per cent gain or loss in average per-acre yield since 1910?
10. In the same way treat other food crops *if locally important*: truck
crops, sugar cane and sorghum cane, orchard fruits, small fruits,
grapes, ground-peas, nuts, etc.
11. Cotton production, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent gain or loss in acreage since 1910?
Per cent gain or loss in average per-acre yield since 1910?
Total annual consumption by mills within the county?
12. Tobacco production, 1910 census.
Acreage? Total yield? Average per-acre
yield? Rank?
Per cent gain or loss in acreage since 1900?
Per cent gain or loss in average per-acre yield since 1900?
Total annual consumption by factories within the county?
13. Themes for theses or discussions: The-Buy-a-Bale Movement.
The Government Valorization of Cotton. Per-Acre Crop Yields
and Per Capita Wealth in the Farm Regions of North Carolina—
a study in contrasts. Food-Producing Power and Wealth-Retain-
ing Power in the Counties of North Carolina. The One-Crop,
Farm-Tenancy, Supply-Merchant System of Farming: instances

- in North Carolina, economic and social consequences. The Many-Crop, Farm-Owner, Live-Stock System of Farming: instances, consequences. Signs of Progress in North Carolina Agriculture.
- In 1910, the average acre of cotton land in North Carolina produced \$33.01 and the average acre of tobacco land, \$62.41. The grain-growing, hay-and-forage counties of Illinois produced from \$14.00 to \$18.00 per acre. But the country population of Illinois, man for man, is worth from four to fifteen times as much as the country population of our cotton and tobacco counties. Account for their greater power to accumulate farm wealth.
- Hon. Clark Howell says: Our one-crop mania is economic insanity give reasons for agreement or disagreement.
14. Sources of information.

IX. ORGANIZATION AND CO-OPERATION

An organized community can be what it wills to be. An unorganized community is in a state of decadence.—BULLETIN, ILLINOIS AGRICULTURAL COLLEGE.

Organized effort is one of the greatest factors in Modern Civilization; whether we have in mind educational, social, religious, political, or industrial activities.—JOHN LEE COULTER.

Personal initiative and a cultivated co-operative spirit are the very core of this matter.—THE COUNTRY LIFE COMMISSION.

Membership in one body is a fundamental doctrine of religion. It is no less a fundamental doctrine of economics and sociology—and the church must lead men into it.

Getting together and pulling together on earth is a preparation for dwelling together in Heaven.—THE HOME AND FARMSTEAD.

1. Organizations (cultural, for individual benefit):
Farmers' clubs, clubs of country boys and girls, organizations for farmwives, agricultural fairs, field trials, school fairs, Sunday school associations, county ministerial association, debating or declamation societies, library clubs and reading circles, singing societies, base ball clubs, or any other organization designed to stimulate individual effort.
- Catalogue such organizations in your county, giving (1) The names and (2) the addresses of leaders.
- Single out the oldest, largest, and most successful; state briefly the causes of strength, popularity and perpetuity.
- Suggest such other organizations as need to exist, and state reasons therefor.
2. Co-operative enterprises (for mutual benefit): Fraternal orders, farmers' unions, and other organizations for co-operative production, marketing, buying, credits, etc.
- Catalogue such organizations in your county, giving (1) Names and purposes, and (2) the addresses of designated leaders or business managers.

Single out one conspicuous success; analyze the causes of success; outline achievements and prospects.

Single out a conspicuous failure; analyze it, and state briefly the causes of failure.

3. Subjects for theses or discussions: Farm Organizations in America: an historical sketch. Pedigreed Seed Clubs: purposes, achievements. Pedigreed Live-Stock Clubs. Fruit Growers' Clubs. Boys' Pig Clubs: importance, achievements. Boys' Corn Club Records. Girls' Garden and Canning Clubs: importance, results. The School Fair: its value, instances. Agricultural Fairs: successes, failures, causes of failures, remedies. The County Ministerial Association: purposes, programs, field of work. Clubs for Country Women: importance, programs, instances of success.

The Principles of Successful Co-operation. The Regeneration of Ireland. Denmark—the Farmers' State. The California Fruit Growers' Exchange. The Eastern Shore of Virginia Produce Exchange. The East Carolina Truck and Fruit Growers' Association. Co-operative Farmer Enterprises in Catawba County. Farmers' Mutual Insurance Companies. Farmers' Mutual Telephone Companies. Co-operative Creameries and Butter Factories. Co-operative Warehouses in North Carolina. Co-operative Grain Elevators in the West. Land and Loan Associations in Ohio. The Landschaften in Germany. The Raiffeisen Banks. The Land Banks of France.

4. Sources of information.

X. RURAL CREDITS

The first step toward credit—ready, abundant, cash loans, at low rates of interest, and comfortable repayments—is financial trustworthiness.—HENRY WALLACE.

The second step lies in security—ample collateral readily convertible into cash at fair prices.

The third, a sufficient circulating medium.

Money is one thing; credit another.

Agencies beyond the farmer can furnish cheap money; the farmer alone can establish the credit he needs.—THE HOME AND FARMSTEAD.

The business done by the Farmers' Co-operative Banks of Germany in 1910 totaled six billion, six hundred and ninety-one million dollars.—JOHN E. LATHROP, *Pearson's Magazine*, October, 1913.

1. The material basis of farm credit in the county, 1910 census.

Total farm property.....	\$
Total crops produced.....	\$
Total animal products.....	\$

Total collateral..... \$

- (1) Total credit basis estimated at 25 % of the collateral \$
 Total credit secured 1910:
 Private credit (from individual money lenders) \$
 Book credits (open accounts in stores)..... \$
 Bank credits \$
 Land-mortgage credits (to outside loan agencies) \$

- (2) Total credit secured..... \$
 Compare collateral with total credits obtained. Conclusions?
 Compare book with bank credits.
 Conclusions?
2. Farm mortgage indebtedness, 1910 census:
 - (1) Number of farms—
 Cultivated by owners: White? Negro?
 Total?
 Mortgaged: White? Negro?
 Total?
 Per cent mortgaged White? Negro?
 Total?
 - (2) Rank of the county based upon the total per cent of mortgaged farms? Why high or low?
 - (3) Has the number of mortgaged farms increased during census period? Why?
 - (4) Compare with the average for North Carolina, 1910 census, (18.5 per cent). Why above or below the state average?
 - (5) Total value of mortgaged lands and buildings?
 Total mortgage indebtedness thereon?
 Per cent of collateral? Rank in North Carolina?
 Why high or low?
 Compare with the average for North Carolina, (23.2 %) Why above or below the state average?
 - (6) Increase or decrease in farm mortgage indebtedness, since 1900? Significance?
 - (7) Increase or decrease in the borrowing value of farm land? Significance?
3. Per capita wealth of the country population of the county (based on the total value of farm properties, 1910 census)?
 - (1) Rank in North Carolina? Why high or low?
 The average for the State was \$322. Why above or below the state average?

- (2) Consider this per capita wealth: (1) as indicative of circulating cash, (2) as a basis of credit.
Is it a meagre or abundant financial basis?

4. Sources of loans:

- (1) Banks—Number of state banks? National banks?
Total capital stock? Total bank resources?
Number of farmers owning stock? Per cent of the total stock-holders?
Farmer depositors? Per cent of the total?
Farmer deposits? Per cent of the total?
Farmer borrowers? Per cent of the total?
Total amount loaned to farmers? Per cent of total loans?
- (2) Supply-merchants, in open accounts:
What per cent of the year's credit business is with farmers?
What per cent of these farmers are white land-owners?
Negro land-owners? What per cent are white tenants?
Negro tenants?
Average usual time covered by book accounts?
The kind of security required?
Secure specimens of crop and chattel liens?
At what time of the year are these accounts closed up?
The total loss in bad accounts The per cent of the year's credit business?
- (3) Insurance companies.
Are the insurance companies lending money to farmers in your county? The names and addresses of such companies?
Security required? Total loaned to date?
Rate of interest charged?
Commissions charged? Agents' fees.
- (4) Building and loan associations.
Number and names of such associations in your county?
Are they lending to farmers? Total amount loaned to date?
Interest charged?
Commissions charged?
- (5) Are there any farmers' mutual credit societies in your county?
If so, give a full account of them.
- (6) Mortgage loan companies:
Addresses of companies doing business in your county?
Addresses of their local agents? Total loans to date?
Rate of interest charged? Commissions charged?
Agents' fees?

5. Purposes of loans:

- (1) Improvement and expansion—more land, more and better

tools, implements, labor saving machinery, homes, barns, live stock and the like?

- (2) The purchase of land and the establishment of homes and farms by persons newly entering the ranks of ownership.
- (3) Operating expenses—farm supplies, seeds, fertilizers, food and feed stuffs, clothing and the like.
- (4) The refunding of old debts.
- (5) Indulgence or investment—in automobiles and the like.
Estimate as closely as possible the relative importance of these five purposes of credit in your county.

6. Rates of interest paid :

- (1) The average difference between cash and time prices in supply-stores.
- (2) Average rates, for small, short-time personal loans?
- (3) Average rates, for larger, long-term loans?
Is the interest paid in advance annually? Semi-annually?
- (4) Is a commission charged usually for making the loan?
How much?
- (5) Does the agent or attorney charge for securing the loan?
How much?
- (6) Usual charge for abstracting titles and drawing papers?
What are the usual recording fees?
- (7) Study and report upon the actual yearly rate of interest paid upon:
 - (a) A typical store account.
 - (b) A typical short-term loan.
 - (c) A typical land-loan.

Omit all names and count in all expenses, commissions and fees of all sorts, along with the rate of interest charged.

6. Subjects for theses or discussions: Land as a Basis of Credit. Cotton as a Credit Collateral. The Material Basis of Farm Credit in the South. The Relation of the Tenant-Farmers, the Supply-Merchant, and the Fertilizer Manufacturer to Southern Agriculture.

In 1910, only 18.5 per cent of the farms of North Carolina were mortgaged; while more than half the farms of Wisconsin, Iowa and Missouri were mortgaged—the explanation, the significance?

In 1913, the average interest rate on mortgage loans in North Carolina was 6.3 %. In Virginia, West Virginia, and Maryland, it was lower; in South Carolina, Georgia, Florida, and all the

other Gulf States it was higher; in the Rocky Mountain, and Pacific Coast States it was far higher—why?

The same year, the average interest rate on short-term loans in North Carolina was 6.5%. Outside New England and the North Atlantic States, it was the lowest rate in the United States—why?

In 1913, eighteen of the leading insurance companies of the United States had a farm mortgage business amounting to \$414,000,000. North Carolina's borrowings from these sources amounted to two-tenths of one per cent of this total; or \$828,000. Kansas, Nebraska, Missouri and Iowa farmers secured 51.8% of it; or \$214,452,000—account for the difference.

The Amortization Plan of Paying Loans. Land Debenture Bonds. The Torrens Land Law—what, why? The Land Bank Bills now before Congress.

7. Sources of information.

XI. MARKETS

Farmers will produce more when they can market more profitably, purchase the raw materials of production more economically, and improve their credit facilities. All these things call for organization.—T. N. CARVER.

Organized industry always unloads its burden on the unorganized.—GEORGE W. RUSSELL.

We should begin now to prepare for market facilities at home for the increased production of food and feed crops made necessary by reduced cotton acreage. Provisions should be made for ascertaining, by localities and counties, just how heavily we are importing northern and western products.—N. C. FARMERS' UNION ADVISORY COUNCIL.

I. Surpluses for sale, outside the county, 1910 census:

(1) Check (✓) the items raised in your county in quantities beyond the need of consumption within the county.

Corn	Peaches	Peanuts	Sheep on hoof
Oats	Plums	Other nuts	Mutton
Wheat	Pears	Vegetables	Wool
Rye	Cherries	Melons	Cattle on hoof
Hay, Forage	Grapes	Flowers, plants	Beef
Cotton	Figs	Milk	Hogs on hoof
Tobacco	Irish potatoes	Cream	Fresh pork.
Sugar cane	Sweet potatoes	Butter	Hams, bacon
Sorghum cane	Yams	Poultry	Firewood
Cane syrup	Nursery products	Eggs	Posts, poles
Apples	Berries	Colts	Naval Stores

- (2) If the list is incomplete for your county, write in the necessary additional items.
- (3) In determining whether or not your county needs outside markets for surpluses, consult chapters VII and VIII.
- (4) For instance, the food and feed needed by man and beast in Scotland county in the census year was around \$1,900,000. The food and feed produced in the county was around \$700,000.

Here is a market problem that concerns purchasing—some \$1,200,000 of food and feed alone, along with fertilizers, farm tools and utensils, work-animals and the like. It is the problem of car-load lots, with discounts for cash.

But also, there is the market problem of selling to the best advantage some two million dollars worth of cotton—the problem of operating capital, warehousing, minimum insurance rates and warehouse charges, holding for satisfactory prices, if necessary, and borrowing advantageously upon the collateral.

- (5) In similar way analyze the buying and selling problem of your county. What surpluses has the county for sale? What does the county need to import?
- (6) List the export products of your county and estimate the annual bulk and value of each (1910 census). The total value of export surpluses?
- (7) What arrangements, conveniences, facilities and conditions are necessary to get these surpluses into the regular channels of trade, (1) in the best condition, (2) most promptly, (3) least expensively, and (4) most profitably to the producer?
- (8) Are the farmers of the country generally interested in
 - a. Expert picking, handling, grading, packing, uniform standards and brands?
 - b. Expert butchering, curing, trimming and sacking meats, packer style?
 - c. General market conditions, the Federal Crop reports the market quotations in the daily papers?
 - d. Improved public highways?
 - e. Country telephones?
 - f. Cross-country electric railways?
 - g. The parcels post?
 - h. Railway facilities and rates, shipments in car-load lots and the like?
 - i. Co-operative production and selling?

(9) To what extent are they active in these directions? Give brief account in detail.

(10) If not interested, why not? Obstacles? Signs of progress? Suggestions.

2. Surpluses without markets, or with no markets offering satisfactory prices.

As for instance, the 1914 apple crop in North Carolina. It is (estimated) 7,600,000 bushels, or more than two and a half times the 1913 crop. August prices to producers in the United States averaged 68c per bushel; in Oregon 78c; Arkansas and Colorado 80c; in North Carolina 50c; in Western North Carolina from 15c to 25c for the orchard run. Why?

(1) Instances in your county of farm surpluses wasted or marketed without profits? Causes? Effects on producers and farm development? Suggested remedies?

(2) Is there a city board of trade in your county? Is it actively engaged in helping the farmers in its trade territory to solve their market problems? In what way?

(3) Are there:

Canning factories?

Evaporating plants?

Preserve, jam, jelly, or

Pickling factories?

Creameries?

Butter factories?

Cotton warehouses?

Peanut warehouses?

Tobacco warehouses?

Butchering and

Packing plants?

Refrigerating plants?

(4) Are these enterprises individual? co-operative? or corporation enterprises?

(5) Which are well established successes? Analyze causes of successes.

(6) Which are new enterprises? Outlook?

(7) What enterprises of this sort have been failures? Analyze causes of failure.

3. Local city markets.

(1) Is there a free public market in your county? Or in some nearby county? How long is the average haul to it? Are the roads good? The disadvantages of bad roads?

(2) Does the city provide hitching grounds or sheds? A rest-room for the farmwives?

(3) Are there city ordinances against the house-to-house peddling of farm produce? Why? The farmer's objections to peddling?

(4) Does the city market enable the farmers to turn into

instant ready cash at a fair profit whatever they have to sell?

- (5) Does it lower the cost to consumers, while raising the price received by producers?
- (6) Is there adequate attention to sanitation?
- (7) If the city market is poorly managed (and usually it is), what are the defects? Suggested changes?

4. Markets to supply deficits.

- (1) Check (✓) the items that are imported into the county: Corn, meal, wheat, flour, oats, hay, potatoes, cane syrup, cabbages, onions, peas, lettuce, butter, canned goods, poultry, eggs, horses and mules, beef, hams, salt-pork sides, seeds, farm machinery, fertilizers and other like items.
- (2) List the items and closely estimate the total amount of each import for the census year (1910) and check up the results by canvassing the supply-merchants and freight agents.
- (3) What is the gross total?
- (4) Do the farmers generally buy these supplies on time from the supply-stores? If so, why the general necessity for book accounts? Compare cash with credit prices; conclusions?
- (5) What attempts have been made in your county at co-operative purchasing of farm supplies? If successful, analyze causes of success. If failures, why? Essentials to success in co-operative buying? Obstacles? Outlook in your county?

5. Subjects for theses or discussions: The Self-Sufficing and the Commercial Farmer. Can the Commercial Farmer Afford to Buy What he can Raise? Do Surpluses Create Markets or do Market-Demands Create Surpluses? Home-Raised Food and Feed Stuffs in North Carolina Counties; in the South. Does the Farmer Get a Righteous Share of the Consumer's Dollar? The Middlemen: Who they are and their Functions. The Useless Middleman: Why he Exists, and How Eliminated. "It costs more to market a crop than to produce it." Why? Getting Producers and Consumers Together: why necessary, difficulties, successes. The Farmer's End of the Market Problem; the Consumer's End. Well Managed Municipal Markets: value to farmers and consumers; instances of success. Municipal Packing and Refrigerating Plants: obstacles, successes, failures. Canning Factories: conditions of success; instances. Co-operative Pro-

duction and Marketing in Minnesota. The Production and Distribution of Farm Wealth: relative importance. The Proper Place of Government in the Market Problem. Food-Production and Wealth-Retention in North Carolina and the South. The Wealth-Accumulating Power of Food-Producing Regions: North Carolina and Iowa, in contrast. North Carolina Products for North Carolina People. Importing Food and Feed Stuffs into North Carolina; an exhibit by counties?

6. Sources of information.

XII. IMPROVED PUBLIC HIGHWAYS. RAILWAY FACILITIES

Improved public roads are directly related to better country homes and schools, to the reach and influence of country churches, to the timely marketing of farm products, and to the business of market centers. They are the arteries of organized community life.—THE HOME AND FARMSTEAD.

A good sand-clay road is not made of sand and clay, but of sand, clay, and sense, thoroughly mixed in right proportions. The commonest need in road building is not more money but more sense.

The lack of it cost the United States \$185,000,000 last year. A king's ransom wasted by incompetence, in the building of new roads, in the patching of poor roads, and in the neglect of good roads!—THE HOME AND FARMSTEAD.

1. How many miles of public roads in the county?
 How many miles are improved, graded or surfaced?
 Per cent of the total? Rank of the county?
 How many miles are graded only? How many miles
 are graded and surfaced with sand-clay or top-soil?
 With macadam or gravel?
2. Is the road building of the county done under the direction of an
 expert road engineer? His address?
 Is the work done by the county chain-gang? Or by
 hired labor? Is the work let out to private con-
 tractors?
3. Revenues for roads, 1913:
 Raised by direct tax levy? Levied by county or
 township? Rate?
 Raised from the poll tax? Rate per poll?
 Total?
4. Total bond issue, to date, for good roads?
5. Expenditures for roads and bridges, 1913:
 Upon improved public highways? Miles built?
 Material used for surfacing? Cost?

- | | |
|----------------------------------|-------|
| Patching and repairing old roads | Cost? |
| Steel bridges: number? | Cost? |
| Concrete bridges: number? | Cost? |
| Wooden bridges: number? | Cost? |
| Culverts, drains: number? | Cost? |
| Material used? | |
6. The county chain gang, 1913; if employed by the county in road building:
 - Average number of convicts employed?
 - Average number of mules employed?
 - Total amount invested in road machinery?
 - Average cost of convict per day?
 - Average cost of feed per mule per day?
 - Total cost of the chain gang for the year?
 7. If the county leases the convicts:
 - To what other county?
 - Total number so leased in 1913?
 - Upon what terms? Price per able bodied convict per day or month?
 - Total received for convicts leased in 1913?
 8. Railway facilities:
 - List the railways touching or traversing the county.
 - Total miles of trackage within the county?
 - Are there cross-country electric railway lines?
 - How many miles of track within the county?
 - The usual market to which farm produce is freighted?
 - The usual center from which farm supplies are shipped into the county?
 - The nearest stock-yards or packing-plant center for live stock sales?
 - Do the facilities for handling live-stock encourage live-stock industries in the county?
 - Are the facilities for handling perishable produce ample and satisfactory?
 - What railway companies are advertising your county or section? How? Results?
 - What railway companies are active in developing your county or section? In what way? Result?
 9. Subjects for theses or discussions: Improved Public Highways: economic and social values. Public Road Engineers: a National necessity. Engineering Problems in Highway Building. Human Nature Problems in Highway Building. Wasting Road Revenues, Road-Building Materials in North Carolina. The Sand-Clay or Top-Soil Road and the Macadam Road. The King Drag. Systematic

Road Inspection and Repair. A State Highway Commission: necessity, functions. A State Highway Fund: reasons for or against. A Federal Highway Fund: reasons for or against. The Use of State Convicts in Public Road Building: reasons for or against. A Bond Issue for Good Roads: reasons for or against. Good Roads in North Carolina; a study in contrasts. The Lack of Railway Facilities: economic and social results? The Railroad's Share of the Consumer's Dollar. The Relative Importance of Facilities and Rates. The Relative Importance of Railways and Improved Public Highways.

10. Sources of information.

XIII. SCHOOL STUDIES

The ignorant pearl diver does not wear the pearl he wins; the diamond digger is not ornamented by the jewel he finds; the ignorant toiler in the most luxuriant soil is not filled with the harvest he gathers.

The choicest productions of the world, whether mineral or vegetable, wherever found or wherever gathered, will inevitably by some secret and resistless attraction make their way into the hands of the most intelligent.

Let whoever will sow the seed or gather the fruit, intelligence consumes the banquet.—HORACE MANN.

Native white illiterates, ten years old and over, in the towns and cities of North Carolina in 1910, were 4.5 per cent; in the rural regions, 13.5 per cent.—1910 CENSUS.

Lo, the House of Learning is a mighty country-life defense!—THE HOME AND FARMSTEAD.

1. Illiteracy of persons 10 years old or over, 1900 and 1910 census:

- | | | | |
|-----|-----------------------------------------|-----------|------|
| (1) | Native whites: 1900, number? | Per cent? | |
| | Native whites: 1910, number? | Per cent? | |
| | Increase or decrease? | | |
| | Rank of the county in white illiteracy? | | Gain |
| | or loss? | | |
| (2) | Negroes: 1900, number? | Per cent? | |
| | Negroes: 1910, number? | Per cent? | |
| | Increase or decrease? | | |
| | Rank of the county in negro illiteracy? | | Gain |
| | or loss? | | |

2. School support:

- (1) Total received from all sources, 1902-03?
- (2) Total received from all sources, 1912-13?

- (3) Average per child of school age per day?
Rank? Why above or below the State average?
 - (4) Received from the State, 1912-13? Per cent
of the total county school fund? Rank of the
county in this particular?
 - (5) Total raised by school tax levies within the county, 1912-13? Per cent of the total taxable property?
Rank?
 - (6) Total received from the State Equalizing Fund?
Rank? Compare with the rank of the
county in per capita wealth. Conclusions?
 - (7) Total spent for buildings and supplies, 1912-13: Rural
Schools? Town schools? Compari-
sons? Conclusions?
 - (8) Total spent for school libraries, 1912-13: Rural schools?
Town schools? Comparisons?
Conclusions?
3. School attendance 1912-13:
- (1) White school population? Enrollment?
Per cent of the school population?
Rank of the county in this particular?
Why above or below the State average?
White average daily attendance?
Per cent of the enrollment?
Rank of the county?
Why above or below the State average?
 - (2) Total white school population, town? Country?
Enrollment, town? Country?
Per cent enrolled, town? Country?
In daily attendance, town? Country?
Per cent of enrollment, town? Country?
Do the white children in towns attend school better than
in the country? If so, why?
 - (3) Negro school population? Enrollment?
Per cent of the school population?
Compare with white enrollment per cent?
Conclusions?
Negro average daily attendance?
Per cent of the total enrollment?
Compare with the white attendance per cent?
Conclusions?

- (4) Total Negro school population, town? Country?
 Enrollment, town? Country?
 Per cent enrolled, town? Country?
 In daily attendance, town? Country?
 Per cent of enrollment, town? Country?

Do the negro children attend school better in the towns, where school terms are longer and opportunities greater, than in the country? Why or why not?

What are the facts in the Northern and Western cities?

4. Teachers' salaries, average per year, 1912-13:

- (1) Whites, in town? In the country?
 Effect of lower salaries in country districts?
 Rank of the county in average town salaries?
 Country salaries?
 Are these averages above or below the State averages?
 Why?
 Per cent gain in average salaries since 1902-03?

5. School facilities and conditions:

- (1) Average term in days, 1912-13? In 1902-03?
 White schools, in town? In the country?
 Why the difference?
 Negro schools in town? In the country?
- (2) Total invested in school property, 1912-13:
 White schools, in town? Average per child of school age?
 White schools, in the country? Average per child of school age?
 Are these averages above or below the State averages?
 Why?
 Negro schools, in town? Average per child of school age?
 Negro schools, in the country? Average per child of school age?
 Are these averages above or below State averages?
 Per cent gain in total school property since 1902-03?
- (3) Number of school districts, 1912-13:
 White? Colored?
 Districts with log school houses:
 White? Colored?
 Compare with other counties? Conclusions?
 Decrease since 1902-03:
 White? Colored?

Districts without school houses:

White? Colored?

Compare with other counties? Conclusions?

Decrease since 1902-03:

White? Colored?

Rural schools, having two or more teachers:

White? Colored?

Per cent of the total,

White? Colored?

Rank of the county, only white schools considered?

Why above or below the State average?

(4) Rural school houses, 1912-13:

With patent desks, White? Per cent of
white schools? Rank?

With patent desks, Negro? Per cent of
Negro schools? Rank?

With benches, White? Per cent of white
schools? Rank?

With benches, Negro? Per cent of Negro
schools? Rank?

New houses built for whites: number? Total
cost? Rank?

New houses built for negroes: number? Total
cost? Rank?

Compare the average cost of new rural school houses
with State averages. Why above or below the State
average?

(5) Scholarship and training of teachers, 1912-13:

White teachers, total number? Per cent holding
first grade certificates? Per cent having normal
training? Per cent holding college diplomas?

Are these per cents above or below the State averages?
Why?

(6) What per cent of the white teachers of the county were
born or reared in other counties? In other
States? Mainly, in what other States?

(7) What per cent of the white teachers in the county are
this year teaching the same school the second year?
the third year? longer terms?

6. Indications of progress:

- (1) Review carefully the facts, comparisons, and conclusions,
noted in the school studies above, and assemble in com-
pact paragraphs (1) the gains the county has made since

(2) Single out, for appropriate treatment, successes, if any in (1) the consolidation of schools and the transportation of children, (2) the employment of school supervisors, or special department teachers, (3) the erection of handsome school buildings, (4) the establishment of country-life schools, (5) the adoption of a county-unit system, (6) school fairs, (7) school debates and athletic events, (8) schools that are centers of organized community life, (9) school clubs, and (10) school gardens or farms. Or successes of any other sort.

- I. Rural high schools (white): 1907-08 1912-13
 - (1) Offering four-year courses? Gain %
Three-year courses? Gain %
Two-year courses? Gain %

Total Gain %

Rank in the number of such high schools in 1912-13.
 - (2) Rural high school teachers, 1907-08? 1912-13?
Gain %
Total high school pupils, 1907-08? 1912-13?
Gain %
Average term, 1907-08? 1912-13?
Gain %
 - (3) Rural high school income: total 1907-08?
1912-13? Gain %
From State funds? 1907-08? 1912-13?
Per cent of total? Per cent of total?
From county and local tax funds? 1907-08?
1912-13?
Per cent of total? Per cent of total?
 - (4) Number of high school graduates now attending colleges?
 - (5) Treat briefly rural high school progress in the county during the five-year period. Is the country keeping pace with the towns in your county in high school development?

If not, why not?
8. Subjects for theses or discussion: Is Education a Deterrent of Crime? Intelligence and the Production of Wealth. The Dif-

fusion of Intelligence and the Retention of Wealth? Intelligence and Democracy. Intelligence and Co-operative Farm Enterprise. The Florida Plan of County-Unit School Systems. Inferior Country Schools and the Drift Cityward. Illiteracy among native whites in North Carolina in the country averages three times the illiteracy rate in the towns and cities—why? Is the Negro Losing Faith in Spelling Books and Graining Faith in Bank Books; the facts, the causes, the outlook? The Teacher's Salary; a study in contrasts. The Effect of Lower Salaries in the Country Schools. The Country School of Permanent Influence; necessary conditions of success. The Broken School-Term in North Carolina; the effects. Our Grasshopper Plague of Public School Teachers. Frequent Changes of Teachers; causes, consequences. The Socialized Country School; meaning, obstacles, successes. The John Swaney Country School, Illinois. The School, a Center of Community-Life. The School Fair in Virginia. An Argument in Favor of a Local School Tax; in favor of Consolidated Country Schools. The Public High School—the People's College. The Page County, Iowa, Country Schools. School Improvement Clubs in North Carolina; purposes, achievements. Training Teachers for Country Schools. The Danish Folk Schools. The Country School Superintendent; an Educational Leader. The West Virginia Plan of County Supervision. The Waste of Public Money in Non-Attendance. The Wonderful High School Development in North Carolina.

9. Sources of information.

XIV. PUBLIC HEALTH AND SANITATION

Give me health and a day and I will make the pomp of emperors ridiculous.—EMERSON.

There are 16,000 preventable or postponable deaths in North Carolina every year! One every half hour, day and night!

Six thousand deaths from tuberculosis alone! And babies—3,000 of them die every summer; a third or more of them killed by fly-carried diseases.—FIGURES FROM N. C. HEALTH BULLETINS.

The highest percentage of insanity in the United States is among farmers' wives—due chiefly to overwork, overworry, and the lack of proper amusements and recreation.—HENRY N. OGDEN, in *Rural Hygiene*.

1. Indicate the ways in which your County Health Board and Health officer are actively campaigning against preventable diseases—malaria, typhoid, tuberculosis, small-pox, and the like.

List fully the forms of their activity—say, educative articles in the county paper, addresses on public health and sanitation,

circulating the Bulletins of the State Board of Health, co-operating with the school authorities in the medical inspection of school children, health rallies, clean-up events, and so on.

If active, give the addresses of the leaders.

If inactive, why?

2. What attention has been given in your county to sanitary toilets on home or school grounds, to garbage and sewage disposal, soil and stream pollution, the safety of drinking waters in springs and wells; the protection of drainage areas of city water systems; sanitary dairies and milk supplies, the sanitary butchering and vending of meats, the screening of homes against flies and mosquitoes, the sanitary handling of food stuffs at soda water stands, in ice cream parlors, in shops, in hotel and restaurant kitchens.

Are dairies and milk depots, butcher pens and shops, bakeries, restaurants, hotel kitchens and the like inspected competently and regularly? If not, why?

Are the reports of the inspector published in the city or county papers?

Are there laws or ordinances covering the sale of impure or adulterated foods, feeds, and drugs in your county? Enacted by what body? Are they enforced? If not, why?

3. Commonly, the old-time Health Officer has attended the charity cases, and the sick in the poorhouse, jail, and chain gang. He took charge of small-pox, and similar epidemics, enforced quarantine regulations and so on.

If he is otherwise active in your county, indicate the ways, in detail. What is his salary? What were the total expenditures of the County Health Board for the last year?

If the old-time system can be improved, suggest the ways.

4. The Hookworm campaign in your county: activities, results?
5. Is there a City Health Board and Health Officer in your county? If so, report their activities as per the above outline.
6. Or have the City and the County Health Board united, and employed an All-Time Health Officer? Give an account of his activities and successes, if any. Make collateral study of the sanitary campaigns in Nash, Columbus, Robeson and Sampson counties.
7. Are the churches and ministers of your county actively interested in community health conditions and problems? Indicate the most active, and give an account of their activities.
8. Is there a County Medical Association? Is it alert and vigorous? If possible, secure the programs for a half-dozen or so of the meetings.

Is the subject of Preventable Diseases and Public Sanitation prominent in these programs? Conclusions?

9. Consult the registrars of vital statistics and secure answers to the following questions for the year ending July 1, 1914:

- (1) Total births? Birth rate?
Total illegitimate births? Per cent of the total?
- (2) Total deaths? Death rate?
Number of deaths from preventable diseases?
Per cent of the total?
- (3) Total deaths of children, under 5 years of age?
Per cent of the total?
- (4) Compare the birth rates of whites and negroes?
Conclusions?
- (5) Compare the town and the country birth rates?
Conclusions?
- (6) Compare the death rates of whites and negroes; also of town and country dwellers. Conclusions?
- (7) Arrange the causes of death in the order of numerical importance. Which of them are preventable?
- (8) What is the per cent of natural increase (excess of births over deaths) in your county? Compare with the 1910 census figures, showing the population increase of the county from 1909 to 1910? Conclusions?
- (9) The rank of the county in birth rate? In death rate?
Are these averages above or below the State averages? Why?

Note: Our new vital statistics law went into effect July 1, 1913. It will take several years to put it into general and reasonably successful operation. Meanwhile the records and reports will enable students to do barely more than guess at the facts of birth and death in the State; or so, such laws in other states considered.

- (1) The number of physicians in your county:
White? Negro? Total?
How many belong to any medical association whatsoever?
The number of midwives: White? Negro?
Total?
The number of undertakers: White? Negro?
Total?

9. Subjects for these or discussions: The New Science of Preventative Medicine. The Miracle of Modern Sanitation. Public Health and Sanitation. Disease Carriers—Human and Animal. Needless Deaths in North Carolina. The North Carolina State Health Board, and its Work. Louisiana's Clean-up Campaign. Sanitary Food Supplies; competent, thorough inspection, and public reports. The Whole-Time County Health Officer. The Community Sanitary Campaigns in Nash, Sampson, Robeson and Columbus Counties. The Hookworm Campaign in North Carolina. The Alamance Hookworm Campaign. Our New Vital Statistics Law.

The Public School and its Relation to Public Health. Things that Every Teacher Ought to Know about the Physical Well-being of children. The Teacher-Citizen-Patriot. The Medical Inspection of School Children, School houses, and School grounds. Dr. Washburn's Score-Card. McNider's School Health-Clubs.

The English call our civilization, A Patent Medicine Civilization—is it so? Recreation and Health. Overwork and Worry. The Social Diseases; prevalence and social consequences. The Black Plague and the White Plague; a study in contrasts. The Commonest Cause of Blindness in Children. Midwives; registration, regulation.

The Church in its Relation to Community Health Problems. The Priest, the Levite, and the Good Samaritan. The Preacher-Citizen-Patriot.

The Negro: a Study in Community Health and Social Hygiene.

Things about which everybody needs intelligent information: (1) Emergencies—the things to do at once; (2) The Common Contagious or Infectious Diseases—their germination periods, stages of infection, isolation requirements; (3) Consumption—extent, causes of infection, the tragedy of quacks and nostrums; (4) Typhoid—causes, vaccination; Diphtheria, Lockjaw, Meningitis, Hydrophobia, and Modern Serum Treatments; (5) Consumption and Cancer—Patent Medicines and Quack Doctors; (6) Alcohol—its Economic and Social Effects.

10. Sources of information.

XV. CHURCH AND SUNDAY SCHOOL PROBLEMS

Nearly seven-eighths of all our people are country dwellers. If served and saved, they must be served and saved by the country church.

The country church is not a phase of church work—not merely a home mission matter; it is nearly nine-tenths of our entire church problem in North Carolina.

The city is the final challenge to Christianity; but the country church is the recruiting station for the warfare.—THE FARM AND HOMESTEAD.

The life and well-being of the church in the city depends upon the life and well-being of the church in the countryside.

The cities cannot be relied on to furnish the Christian leaders of the future.—JOHN R. MOTT.

Five-sixths of the ministers and six-sevenths of the college professors of America were born and reared in the country.—J. O. ASHENHURST.

In most cases the country church is gradually, and in some cases swiftly, losing ground.—WARREN H. WILSON.

Over three million white children in the South are outside the Sunday Schools.—R. E. MAGILL.

1. Submit this outline of Church and Sunday School studies to the ministers of your county. They will be able to suggest wise amendments, and the addition or omission of certain inquiries. The final summaries cover only gross totals, without any reference whatsoever to individual ministers, churches, or denominations. The simple, single, sole purpose of these studies is to ascertain the exact status of the country church—the abundant harvest fields around every church center, the fewness of the laborers, and our responsibilities to the Lord of the Harvest.
The ministers of your county can well afford to know as much about the people they serve, as the competent, devoted doctor seeks to know about the patient he waits upon. When they understand your purpose, they will help you with counsel and advice; in many instances they will undertake this church survey themselves.
2. Upon a county map, mark the location of all churches, town and country. (1) Mark white and negro churches differently. (2) Catalogue the churches, giving the name of the minister serving each, and his home post office. A catalogue for each race.
 - (1) The number of churches: White? Negro?
Total?
 - (2) Churches located in villages, towns, cities—number? In the country?
 - (3) Congregations having no church building—number?
 - (4) Churches without pastors—number?

- (5) Churches that are mission charges—number?
- (6) Churches that have gone out of existence within the last twenty-five years? Give names, if possible.

3. Church studies.

Secure the following information about each church:

- (1) Name? Location? County? Race?
- (2) How old? Does the church own a building?
- (3) Is it a village, town, or city church? or a country church?
- (4) Pastor's name? Home P. O.? County?
- (5) Does the church own a home for the pastor? How near the church? Does he occupy it at present?
- (6) Does the pastor live in the neighborhood? Or in the county? Or in another county?
- (7) Is there preaching once a month? Or twice a month? Or oftener?
- (8) Number of members at present?
Gain in membership since 1906:
By profession of faith? Under 21 years old?
By letter from other churches?
Loss by death, removal, or otherwise, since 1906?
- (9) Members who are land and home owners—number?
- (10) Members who are tenants or renters—number?
- (11) Value of church property?

4. Sunday School studies:

- (1) Does the church have a Sunday School? The superintendent's name and P. O.?
- (2) Number of teachers and officers?
- (3) Number of pupils?
- (4) Total?
- (5) Does it meet every Sunday? For how many months of the year?

- 5. Union Sunday Schools—note the existence and number of such schools; in what churches they meet; the total number of teachers and pupils? Also the Sunday Schools that exist independently of congregations or churches; where they meet; the number of teachers and pupils.
- 6. Compare total church membership with the total for the county in 1906. (Census of Religious Bodies). Conclusions?
- 7. When assembled and interpreted, the answers to these inquiries help to determine:
 - (1) The number of people in the county who are outside the churches.

- (2) The number of children of each race, who are outside the Sunday School.
 - (3) The sections of the county that are under-churched or over-churched.
 - (4) Whether or not the churches, served by absentee pastors with once-a-month sermons, are growing, standing still, or dying.
 - (5) Whether or not the churches are reaching the landless, homeless, restless tenants and their families.
 - (6) What effect farm tenancy has upon the country church.
 - (7) Why the burden of country church support is so heavy upon a few shoulders. And other like important questions.
8. Subjects for theses or discussions: The Status of the Country Church. The Country Church and its Relation to the Country-Life Problem. The Country Church and its Relation to Urban Civilization. The Cry for Ordained Men in all the Religious Bodies and the Response. The Need of Consecrated Laymen.

Our rural churches are on the decline, in numbers, spiritual power and usefulness, says Dr. J. O. Ashenhurst.—Is it so? What are the facts in the country-at-large? The causes? The consequences?

Sixteen hundred churches of two denominations have gone out of existence in the South; 1700 in Illinois, and around 750 in Missouri, says Dr. Henry Wallace.—What are the facts in North Carolina? Where is the country church making progress? Where marking time? Where losing ground, dying or dead? The causes? The consequences?

The Field for Church Activities at Home. Church members in North Carolina in 1906, numbered 540,674 white, and 283,707 negro, or 824,385 all told. Nearly 58 per cent of the total population, or 1,235,000 people, were outside the Church. Church membership ranged from 18 per cent in one county to 73 per cent in another. In five counties more than three-fourths of the people were outside the church.—Figures based on the 1906 census of Religious Bodies.

The Field for Sunday School Activities at Home. Sixteen hundred and thirty-three churches in North Carolina in 1906 had no Sunday Schools; and 222,348 children of school age or nearly one-third of them all were outside the Sunday Schools.—Figures based on the 1906 census of Religious Bodies.

Over three million white children in the South are not in the Sunday Schools, says R. E. Magill.—What are the facts in North Carolina? The causes? The consequences? The remedies?

The Re-directed Country Church; meaning, necessity, obstacles, instances. The Absentee-Precacher, who preaches where he does not live, and lives where he does not preach. The Once-a-Month Sermon. Is the Church Reaching the Tenant Farmer? Farm Tenancy and its Effect upon the Country Church. The Cityward Drift and the Loss of Rural Leadership; causes, consequences. Carver's Religion of Efficiency. Over-Churched Communities in North Carolina; the facts, the consequences.

The Country Church-Home for the Pastor; the facts in North Carolina, the consequences. The Country Church and its Message upon Co-operation. The Church and its Message upon Land Monopoly.

XVI. THE FARM HOME

Civilization is rooted and grounded in the home-owning, home-loving, home-defending instinct.—THE HOME AND FARMSTEAD.

The farm home has resisted the disintegrating influences of modern industrial civilization better than any other home in Christendom.—THE HOME AND FARMSTEAD.

A great national peril lies in our steadily increasing landless, homeless multitudes. Nearly eleven million families in the United States, or 54% of them all, live in rented dwellings. More than one-third of the farmers and three-fifths of the city dwellers in the country-at-large are tenants and renters.

In North Carolina, in the census year, 1,136,000 of our people were homeless; and 650,000 of them were white people! Two-fifths of our farmers and nearly two-thirds of our city dwellers were renters.

In Raleigh and Charlotte the families living in their own homes were only 28% of the total; in Asheville, only 31%, and in Wilmington, only 40%. The rest were tenants—from three-fifths to nearly three-fourths of all the families in these cities.

In general the more densely populated and prosperous a community becomes, the fewer are the people who own the homes they live in. In five of our large American cities, more than four-fifths of the families live in rented homes; in New York City as a whole, nearly nine-tenths of them!

The chances of the landless, homeless man are steadily dwindling; and therein lies a peril, both for him and the community and country in which he lives.—FIGURES BASED ON THE 1910 CENSUS.

1. Number of farm dwellings in the county: occupied by white families? Negro families? Total?
2. Number owned by the occupants:
White? Negro? Total?
3. Number with (1) telephones? (2) rural mail deliveries? (3) daily newspapers? (4) weekly pa-

- pers? (5) popular magazines? (6) farm journals? (7) library books? (8) water pipe system for kitchen? (9) for bath tubs? (10) kitchen sinks with sewage drains? (11) labor-saving laundry machinery? (12) sewing machines? (13) toilet rooms? (14) out-houses for toilet purposes? (15) sanitary out-houses? (16) homes with electric or gas lights? (17) pianos and other musical instruments? (18) with games—chess, checkers and the like? (19) gasoline engines or other motor power? (20) improved farm utensils?
4. Give brief account of some farm home having many or most of these equipments.
 5. What plays and games are common among the children in and around the homes? On the school grounds?
Make a careful, full catalogue of these games and amusements. Is story-telling a common form of amusement?
Conclusions, on the whole, concerning the comforts, conveniences, luxuries and recreations in the farm homes of your county.
 6. Rise in farm-land values, during the last census period?
Rank? Why above or below the State average, (141.7 %)?
Causes? Effects?
 7. Marriages:

1910, White?	Negro?	Total?
1913, White?	Negro?	Total?
Increase % White?	Negro?	Total?
 8. Divorces:

1910, White?	Negro?	Total?
1913, White?	Negro?	Total?
Increase % White?	Negro?	Total?
 9. Ratio of divorces among farm dwellers to divorces among town dwellers? Why the difference?
 10. What events or occasions, regular or occasional, bring the people together? Which is the most important? Why?
 11. Vacation study: Select a well defined neighborhood or community center, and make a Country-Home Survey. Blanks therefor will be furnished upon application.
 12. Subjects for theses or discussions: The Urbanizing of Country-Life: tendencies, advantages, dangers. Native Country-Life Interests and Attractions: qualities and values. Speculative In-

terest in the Farm Home: effects. Social Hunger: Does the Farm-Home Satisfy it? Culture and Agriculture. Recreation and Recreation. Why the Farm-Home Develops Leadership. The Stability and Strength of the Country Home. Ideals for the Country Home. The Negro under Country and under City Conditions.

13. Sources of information.

THE NORTH CAROLINA CLUB ORGANIZES

The North Carolina Club was organized on Friday evening, September 25th, in Gerrard Hall. Prof. E. C. Branson was elected president of the Club and Mr. Frank P. Graham secretary. A large and interested crowd of students and members of the faculty was present at this meeting.

The North Carolina Club is the central body of the various county clubs of the University. It is the forum for various definite discussions and fact gatherings as to North Carolina's economic and social resources and needs. It is a pioneer club among American universities, working in a field of intense human interest, fingering the mud-sill facts of the life of the people of the State.

Prof. Branson's idea of "Know Your Own Home County" is spreading rapidly until soon it will have permeated through the entire student body of the University out into every corner and section of the State.

The steering committee of the club consists of Dr. J. G. de Roulhac Hamilton, professor of history; George Eutsler, Greensboro; J. A. Capps, Bessemer City; L. Bruce Gunter, Wake County; Francis Bradshaw, Hillsboro. The promotion and publicity committee consists of W. P. Fuller, Florida; S. R. Winters, Granville County; Fred R. Yoder, Catawba County; Hugh Hester, Granville County.

Thirteen of the county clubs of the University have already organized for this year's work: Beaufort, Buncombe, Burke, Catawba, Cleveland, Gaston, Granville, Iredell, Johnston, Pender, Rowan, Sampson, Wayne. Other county clubs will organize within the next few days.—*Alumni Review*.

Extension Series Bulletins

1. A Professional Library for Teachers in Secondary Schools.
 2. Addresses on Education for Use in Declaiming, Essay Writing, and Reading.
 3. Extension Lectures for North Carolina Communities.
 4. Correspondence Courses.
 5. The Initiative and Referendum.
 6. Public Discussion and Debate.
 7. University Extension.
 8. Co-operative Institutions Among the Farmers of Catawba County
 9. Syllabus of Home-County Club Studies.
-

Copies of these Bulletins will be sent you or your friends if you will address the

BUREAU OF EXTENSION,
Chapel Hill, N. C.

Proposed Charter

FOR

**San Diego County
California**

**To be Voted Upon
February 27
1917**

Prepared by Board of Freeholders

Filed January 6, 1917

INDEX

	PAGE
Introductory Statement	3
Article I Name and Rights of County.....	6
Article II Board of Supervisors	6
Boundary Descriptions	6
Article III General Powers of the Board of Supervisors	8
Article IV County Officers other than Supervisors....	10
Article V Township Officers	12
Article VI County Manager and his Duties	13
Article VII County Counsel and District Attorney.....	14
Article VIII Public Defender	15
Article IX Roads, Highways and Bridges	15
Article X Department of Public Welfare	16
Article XI Purchasing Agent	18
Article XII County Property	19
Article XIII Auditing and Accounting	20
Article XIV Annual Budget	21
Article XV Assessor and Board of Appraisers	22
Article XVI Civil Service	22
Article XVII Consolidation of City and County Offices...	28
Article XVIII Labor	28
Article XIX Miscellaneous	28

Introductory Statement

The Charter herewith submitted to the electors of the county of San Diego has been framed after careful study of the charters now in operation in Los Angeles County and in San Bernardino County, and of the charters adopted by the people of Butte County and under preparation for Alameda County, and after a series of open meetings in the city of San Diego, and at other important centers of population in San Diego County, at which suggestions from citizens were heard and discussed. Taking into account the valuable experiences of other counties and the many valuable suggestions of the public officers and citizens of San Diego County, the Board of Freeholders submit for your consideration the following Charter, which has been framed with reference to the fundamental principles of good county government means simply good conduct of public business and that the good government that is to be attained in good government for San Diego County, with its special and peculiar problems of local government, which should be solved in San Diego and not at Sacramento.

Therefore this instrument proposes:

Methods compelling a genuine but wise economy.

Modern efficiency in business methods.

Elimination of politics and partisanship in public business.

Separation, but co-operation, of the law making and business parts of the county government.

Frank recognition of the fact that modern government means positive, constructive public welfare work.

It also proposes:

Consolidation of the finance offices of the city and county, when the necessary initiative has been taken by the people of San Diego and the city government of San Diego.

Consolidation of county offices, wherever practicable.

Increase of the number of supervisorial districts, to provide adequate representation of every section of a large and diversified county, with liberal representation for the districts outside of the city of San Diego.

Specifically, the Charter provides for:

1. A Board of Supervisors, one from each of nine districts, five created out of San Diego and its suburbs and four out of the remainder of the county; these supervisors to be elected by the county at large but to reside in and be nominated in their respective districts, to receive no pay for their services but remuneration for their actual expenses, and to be given the powers:

(a) To make necessary ordinances under which business may be done, but not to administer the business.

(b). To make and control, but under specific civil service rules and on the nomination of the executive heads or impartial commissions, appointments to the important offices not reserved for filling by election by the people.

(c) To give the necessary technical and legal sanction to the acts of the chief executive (a County Manager), and, with the

assistance and advice of the Manager, the Auditor, the Assessor and a Board of Appraisers, of the tax levy and the county budget.

(d) In general, to act in a representative and controlling rather than in a directive capacity for the people of the county.

2. A County Manager: To be the actual manager of the county's affairs and business; to be an executive of high qualifications and large experience; to be ex officio Purchasing Agent, Road Commissioner and Surveyor; to be appointed by the affirmative votes of seven members of the Board of Supervisors, but only on recommendation by the Civil Service Commission, examinations having been waived.

3. An Auditor: Appointed by the Civil Service Commission from its certified list.

4. An Assessor: Appointed by the Civil Service Commission from its certified list; to be ex officio tax and license collector.

5. Officers, appointed by the Board of Supervisors, from the eligible civil service lists, as follows:

Board of Education

Board of Law Library Trustees

Coroner (who is ex officio Public Administrator)

County Clerk (who is ex officio Registrar of Voters,
Clerk of the Board of Supervisors and Clerk of the
Superior Court)

County Counsel

Fish and Game Warden

Director of Health and Charities (ex officio health officer
and superintendent of charities)

Horticultural Commissioner

Live Stock Inspector

Probation Officer

Public defender

Recorder

Superintendent of Schools

Treasurer.

To make these offices non-political, non-partisan and efficient; to free appointing authorities from political pressure; and to provide a board for the protection of the people, as a board of efficiency, as well as for the protection of the service, there is proposed:

A Civil Service Commission: Of three members, one selected by the Governor, one by the judges of the Superior Court, and one by the Board of Supervisors. This Commission is given ample power to provide for:

(a) A merit system.

(b) Flexibility and liberality in the execution of the merit system.

(c) Efficiency, management and control of county business, with an efficiency rating system and power to discharge inefficient employees. In this connection, the Manager is given ample power and protection, and the

chief deputies of certain officers are not made subject to civil service.

To make the government of the County representative of the wishes and interests of the people, not only in the Board of Supervisors but through such offices as always have been and should be regarded as tribunes of the people, the offices of Sheriff and District Attorney are retained as elective offices.

To provide for the public welfare, a body specifically charged with the care of that welfare is created in: The Board of Public Welfare: This board, consisting of two members appointed by the Governor of the State of California, two by the judges of the Superior Court, two by the Board of Supervisors, with the County Manager ex officio chairman of the board, is charged with the care of the County Hospital, the County Farm, of any almshouses that may be established, of the Detention Home, and of all indigent and out-of-door relief. It also constitutes the Board of Health of the County. The executive officer of the board, the Director of Health and Charities, is appointed by it from the eligible list of the Civil Service Commission. He is to have large powers, limited, however, in financial matters by the County Manager's purchasing power and by the placing of a limit on the amount that the budget may include for the work of the Board.

The Public Defender will protect those individuals who need protection in the courts.

The important subject of Labor is dealt with in the spirit of modern legislation.

For the protection of the interests and welfare of the people at large, there is provision for:

1. A modern audit system, with provision for the extension of it to cities and towns desiring its service.
2. A purchasing system, with provision for its extension to cities and school districts.
3. Improvement of the judicial township and constable system, as far as is practicable under state law.
4. The Short Ballot.
5. The Recall.
6. Last, but not least, Publicity, with particular reference to publicity and understandable information in the expenditure of the people's money, that it may be said, even of the tax payer, "He Who Runs May Read."

In submitting this proposed Charter, the Board of Freeholders wishes to emphasize the great desirability of a judgment on its merits as a whole, not on any single provision which may not be entirely satisfactory to the elector who reads it, and to emphasize, also, the supreme importance, should the Charter be adopted, of the enlarged and re-constituted Board of Supervisors, together with the significance of the new office of County Manager, whose hands are not tied and of whom it is the intention of this instrument to make a manager in reality of the County's business.

SAN DIEGO COUNTY CHARTER.

We, the people of the County of San Diego, State of California, do ordain and establish for its government this Charter.

ARTICLE I.

Name and Rights of County.

Section 1. The County of San Diego, as it now exists, is a body corporate and politic, and, as such, has all the powers specified by the Constitution and Laws of the State of California, and by this Charter, and such other powers as are necessarily implied.

Section 2. The powers mentioned in the preceding section can be exercised only by a Board of Supervisors, or by agents and officers acting under their authority, or by authority of the Constitution of the State, the Laws of the State, or of this Charter.

Section 3. The corporate name shall be "County of San Diego", which must thus be designated in all actions and proceedings touching on its corporate rights, purposes and duties.

Section 4. The boundaries of the county and the county seat shall remain as the same now are, unless otherwise changed in the manner provided by law.

ARTICLE II.

Board of Supervisors.

Section 1. The County of San Diego is hereby divided into nine supervisorial districts, the boundaries of which are established as follows:

District Number One shall comprise Ballena, Banner, Borego, El Cajon, Foster, Julian, Lakeside, Mesa Grande, Oak Grove, Ramona, Santee, and Warners voting precincts, as the same are now constituted by law.

District Number Two shall comprise Alpine, Boulevard, Campo, Dehesa, Descanso, Dulzura, Harmony, Hillsdale, Jacumba, Jamacha, Jamul, La Mesa numbers one and two, La Mesa Heights, La Presa, Lemon Grove, Loma Alta, Lyons, Meridian, Mission, Potrero, San Miguel and Spring Valley voting precincts, as the same are now constituted by law.

District Number Three shall comprise Bear Valley, Bernardo, Citrus, Escondido, voting precincts numbers one to four, both inclusive, Linda Vista, Lusardi, Oakdale, Pala, Palomar, Poway, San Marcos, San Pasqual, Valley Center and Vista voting precincts, as the same are now constituted by law.

District Number Four shall comprise Aliso, Bonsall, Cardiff, Carlsbad, Del Mar, De Luz, Encinitas, Fallbrook, Las Flores, Oceanside number one, Oceanside number two, Olivenhain, Recluse, San Luis Rey, Vallecitos and West Fallbrook voting precincts, as the same are now constituted by law.

District Number Five shall comprise voting precincts numbers one to ten, both inclusive, numbers twenty-one to thirty-three, both inclusive, and numbers sixty-two to sixty-seven, both in-

clusive, in the City of San Diego, as the same are now constituted by law.

District Number Six shall comprise voting precincts numbers one to seven, both inclusive, in East San Diego; Kensington, Normal Heights, Teralta, voting precincts numbers eleven to twenty, both inclusive, and numbers thirty-four to thirty-eight, both inclusive, in the City of San Diego, as the same are now constituted by law.

District Number Seven shall comprise Chollas, Monroe, voting precincts numbers thirty-nine to forty-nine, both inclusive, numbers eighty-nine to one hundred four, both inclusive, and number one hundred twenty-two, in the City of San Diego, as the same are now constituted by law.

District Number Eight shall comprise voting precincts numbers fifty to sixty-one, both inclusive, numbers sixty-eight to eighty-eight, both inclusive, and numbers one hundred five and one hundred six, in the City of San Diego, as the same are now constituted by law.

District Number Nine shall comprise Bonita, Chula Vista number one, Chula Vista number two, Chula Vista number three, Coronado number one, Coronado number two, Coronado number three, Coronado number four, Coronado number five, Coronado outside, National City number one, National City number two, National City number three, National City Number four, National City number five, Nestor, Otay, San Ysidro, South San Diego, and voting precincts numbers one hundred seven to one hundred twenty-one, both inclusive, in the City of San Diego, as the same are now constituted by law, and shall remain as so established until otherwise changed, as provided in this Charter.

Section 2. The County of San Diego shall have a Board of Supervisors consisting of nine members, each of whom must be an elector of the district which he represents, must reside therein during his incumbency, must have been such an elector for at least one year immediately preceding his election, and shall be nominated by the electors of said district, in accordance with the primary laws now in force, or such as may hereafter be established by the State; but shall be elected by the electors of the county at large, under the election laws of the State, as are now in force, or may hereafter be established. They shall receive each a per diem of five dollars for each meeting of the Board of Supervisors actually attended by them, said per diem to be payable monthly from the County Treasury; provided, however, that the total compensation which each supervisor shall receive in any one year shall not exceed four hundred dollars, said sum to include all service rendered as a member of the Board of Equalization. In addition to the compensation hereinbefore provided, each Supervisor residing more than ten miles from the Court House shall receive a mileage of ten cents per mile for each mile one way necessarily traveled by the most direct route from the residence of such Supervisor to the Court House; provided, however, that not over one mileage shall be paid to each Supervisor entitled to the same, in any one month, said sum to be payable monthly from the County Treasury.

Section 3. At the general election to be held in November, nineteen hundred and eighteen, Supervisors shall be elected from the Second, Fourth, Sixth and Eighth Supervisorial Districts, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and nineteen, who shall serve four years and until their successors are elected and qualified; and, at the general election to be held in November, nineteen hundred and twenty, Supervisors shall be elected from the First, Third, Fifth, Seventh and Ninth Supervisorial Districts, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and twenty-one, who shall serve for four years and until their successors are elected and qualified.

Section 4. The Board of Supervisors may, by the affirmative votes of six members, change the boundaries of any Supervisorial District. No such boundaries, shall, however, be changed to affect the incumbency in office of any Supervisor, and any such change in the boundaries of any Supervisorial District must be made within one year after a general election; provided, however, that no change shall be made which will deprive the electors of the County, residing in any voting precinct, of a vote for Supervisor at more than one supervisorial election in succession.

Section 5. Whenever a vacancy occurs in the Board of Supervisors, such vacancy shall be filled within thirty days thereafter by the Board of Supervisors, and the member so appointed shall hold office until the election and qualification of his successor, who shall be elected at the next general election to fill the vacancy for the unexpired term. In the event that such vacancy is not filled by the Board of Supervisors within thirty days after the vacancy shall have occurred, then, and in that event, the Governor shall fill such vacancy by appointment.

Section 6. The Board of Supervisors shall elect a chairman at the first regular meeting in January of each year, who shall preside at all meetings of the Board. In case of his absence or inability to act, the members present must, by an order entered of record, select one of their number to act as chairman pro tem. Any member of the Board shall have power to administer oaths. Five members of the Board shall constitute a quorum, but no act of the Board shall be valid or binding unless at least five members concur therein; and the affirmative votes of six members shall be necessary to make or confirm appointments, or to remove appointees from office, except as otherwise in this Charter provided.

ARTICLE THREE.

General Powers of the Board of Supervisors.

Section 1. The Board shall have all the jurisdiction and powers which may now, or which may hereafter be granted by this Charter, and by the Laws of the State not inconsistent with this Charter.

Section 2. It shall be the duty of the Board of Supervisors:

(a) To appoint a County Manager and fix his compensation,

and, from time to time, change his compensation; provided, however, that said Manager shall be appointed from an eligible list of not less than three persons, whose names shall have first been certified to said Board by the Civil Service Commission as hereinafter provided.

(b) To appoint all County officers, other than elective officers, whose appointment is not otherwise provided for in this Charter; all such appointments, however, shall be made from the eligible Civil Service list, certified to said Board by the Civil Service Commission, except in cases of appointment to the unclassified service. The Board shall provide by ordinance for the compensation of all officers and employees of the county, except as otherwise in this Charter provided, and in fixing the initial salaries, shall call upon the Civil Service Commission for advice.

(c) To provide by ordinance for the number of Justices of the Peace and Constables to be elected in each judicial township, and, from time to time, fix the number and boundaries of each judicial township, but, when so fixed, the number and boundaries thereof shall not be changed oftener than once in four years. The number and boundaries of judicial townships are to continue as they are now until changed by the Board. The Board shall, by ordinance, fix the salary of each of said Justices of the Peace, which may or may not be uniform nor proportionate to population therein. The Board may, also, by ordinance, provide the number and fix the compensation of such other judges and such inferior officers of such inferior courts as are now provided, or may hereafter be provided, by the Constitution or by general law.

(d) To provide by ordinance, upon the written recommendation of the County Manager, where not otherwise in this Charter provided, for the number of assistants, deputies, clerks, attaches and other persons to be employed from time to time in the several offices and institutions of the county, and for their compensation not, however, to exceed the amount recommended in writing by the County Manager, and the times at which and for which they shall be appointed not, however, for a longer time than the County Manager shall, in writing, have recommended as necessary.

(e) To provide by ordinance, on the written recommendation of the County Manager, and not otherwise, for the creation of offices other than those required by the Constitution and Laws of the State, and for the appointment from the eligible list of Civil Service Commission of persons to fill the same; and to fix their compensation, not, however, in excess of the amount recommended by the County Manager.

(f) To provide by ordinance, upon written recommendation of the County Manager, for the amount of bond to be given, before of after entering upon the duties of his office or service, by each county or township officer or employee, for the faithful performance of the duties thereof, and to require renewals of the same from time to time as may be determined.

(g) To provide by ordinance the rules and prescribe the conditions for the letting of contracts by the County Manager for all work of which the County Manager has supervision, as herein provided, and to provide what work may be done by day labor.

(h) To provide by ordinance for the selling, by the County Manager, of personal property of the County no longer needed.

(i) To provide by ordinance for the acquiring of rights of way, easements and leases for the County, by the County Manager, whenever the same are necessary in the work of which he has supervision, as herein provided for.

(j) The Board of Supervisors may, by ordinance, provide that the County Manager shall perform such administrative duties as are now required by law to be performed by the Board of Supervisors, excepting, however, such duties of the Board of Supervisors as are provided for in this Charter.

(k) The Board of Supervisors shall have power and authority to convey or lease to the United States of America, or such department, bureau, or special division of the Government of the United States of America as may be authorized by law to take such conveyance or lease, for the purpose of a permanent mobilization, training and supply station, or other purposes connected with the Army of the United States, any land now belonging to the County of San Diego, or hereafter acquired by the County of San Diego for any purpose, whether by gift, devise or purchase; such conveyance or lease may be made for such consideration whether monetary or otherwise, and upon such terms and conditions, and with such provisions for a reversion to the county if the said lands shall cease to be used for the purpose for which the same were so conveyed or leased, as the said Board of Supervisors shall deem proper and to the best interests of the County.

ARTICLE IV.

County Officers Other than Supervisors.

Section 1. The elective county officers, other than members of the Board of Supervisors, shall be: District Attorney and Sheriff.

Section 2. At the general election to be held in November, nineteen hundred and eighteen, there shall be elected a District Attorney and a Sheriff, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and nineteen, and who shall hold office for the term of four years thereafter, and until their successors are elected and qualified.

Section 3. The appointive officers of the County shall be:

County Manager

Assessor

Auditor

Members of the Board of Education

Members of Board of Law Library Trustees

Members of the Civil Service Commission

Coroner

County Clerk
County Counsel
Fish and Game Warden
Health Officer
Horticultural Commissioner
License Collector
Live Stock Inspector
Probation Officer
Public Administrator
Public Defender
Recorder
Registrar of Voters
Road Commissioner
Director of Health and Charities
Superintendent of Schools
Surveyor
Treasurer

and all other officers who are now, or may hereafter be, provided by the law of the State.

Section 4. The following offices are hereby consolidated:

The CORONER shall be ex officio PUBLIC ADMINISTRATOR, and shall perform all the duties of that office.

The ASSESSOR shall be ex officio TAX COLLECTOR and LICENSE COLLECTOR, and shall perform all the duties of said offices.

The COUNTY MANAGER shall be ex officio ROAD COMMISSIONER, and shall perform all the duties of that office.

The COUNTY CLERK shall be ex officio REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, and CLERK OF THE SUPERIOR COURT, and shall perform all the duties of said offices.

Section 5. Each and all of the foregoing elective and appointive County officers shall have all the powers and perform all the duties required of their respective offices by the Constitution and Laws of the State, except as otherwise provided in this Charter, and, also, shall have and perform such powers and duties as are by this Charter prescribed. They shall appoint their deputies and other employees to the number authorized by ordinance of the Board of Supervisors, from the certified list as prepared by the Civil Service Commission under the rules of said Commission, and may remove said deputies and other employees for inefficiency or neglect of duty, under the rules of said Commission; provided, however, that the District Attorney may appoint his chief deputy, the Sheriff his under-sheriff, and the Treasurer his chief deputy, without civil service examination.

Section 6. All fees or emoluments of any kind, nature or description, or profits arising out of their respective offices in the performance of their duties, or incidental thereto, or by or from contracts connected with their respective offices, boards or commissions, shall be paid into the County Treasury on the

first Monday of each calendar month, by each and all of the elective and appointive County officers herein provided for.

Section 7. Whenever a vacancy occurs in an elective office, the Board of Supervisors shall fill such vacancy, and the appointee shall hold office until the election and qualification of his successor, who shall be elected at the next general election, to fill such vacancy for the unexpired term; but no election shall be held when such term expires in the month of January succeeding a general election.

Section 8. The term of each elective county officer shall be four years, except as otherwise provided in this Charter, and shall begin at noon on the first Monday after the first day of January succeeding his election, and until such time as his successor shall be elected and shall qualify, except as otherwise provided in this Charter. All officers appointed under civil service certification shall hold office during such time as they efficiently perform the duties of their respective offices, and until removed as in this Charter provided.

Section 9. Each county officer shall be allowed, in addition to the compensation fixed by the Board of Supervisors, such expenses as are now payable to him under the provisions of the general laws of the State or of this Charter; provided, however, that all such expenses shall be limited to actual and necessary cash expenditures.

ARTICLE V.

Township Officers.

Section 1. The board of Supervisors must provide by ordinance for not less than one Justice of the Peace and one Constable in each judicial township, and may provide for more in townships where the population and business therein require a greater number; provided that, until the Board shall so provide for such Justices of the Peace and Constables, the number of each thereof in such townships shall continue to be as now is or may hereafter be provided by law; provided, furthermore, that, if the Legislature shall hereafter, instead of the system of courts of Justices of the Peace now established by law, substitute some other system of inferior courts, then, in that event, the present system of justices of the peace and constables shall cease, and the Board shall, by ordinance, discontinue all Justices of the Peace in the several townships, and said Board may provide for such number of inferior justices or judges as may be necessary for the needs of the county, under such substituted system.

Section 2. Justices of the Peace and Constables shall be nominated and elected at the times and in the manner and for the terms as are now, or may hereafter be provided by general law.

Section 3. All fees and fines collected by any Justice of the Peace, shall be paid into the County Treasury on the first Monday of each calendar month, together with a detailed statement of the same, in writing, under oath, a copy of which statement shall be filed with the Auditor.

Section 4. The salaries of township officers shall be paid at

the same time, in the same manner and out of the same fund as the salaries of other county officers.

Section 5. In any township where, in the opinion of the Board of Supervisors, the public convenience requires it, said Board may, by ordinance, provide for a justice's clerk for each justice thereof, who shall be appointed by the justice from the eligible list certified by the Civil Service Commission; such justice's clerk shall perform all the duties as court reporter for such Justice, and prepare transcripts of the same as required. Such Justice's clerk shall also have the powers and perform the duties provided for justice's clerks by general law. Each shall receive such compensation as may be fixed from time to time by the Civil Service Commission.

ARTICLE VI.

County Manager and His Duties.

Section 1. The Board of Supervisors shall, prior to June thirtieth, nineteen hundred and seventeen, appoint from a list, certified to them by the Civil Service Commission, a County Manager, who shall take office immediately after his appointment and qualification. He shall be a citizen of the United States, and shall reside in the County of San Diego during his term of office. His duties shall be as follows:

(a) He shall be ex officio Road Commissioner, and, as such, shall have complete direction and control over all the work of construction, improvement, maintenance and repair of county roads, highways and bridges, and the expenditure of all the road, highway and bridge funds of the County.

(b) He shall have the supervision, care, maintenance and repair of all public buildings of the County, and of all other property of the County, and of all public work of the County.

(c) He shall be the Purchasing Agent of the County, and shall perform all the duties required of the Purchasing Agent under this Charter.

(d) He shall be Chairman of the Board of Welfare, and shall perform all the duties of that office as fixed by this Charter or by the rules of said Board.

(e) He shall perform all other duties imposed upon him by any ordinance of the Board of Supervisors.

(f) He shall have general supervision over all the appointive county officers, their deputies and employees (excepting the Auditor and County Counsel), and shall see that they efficiently perform all the duties pertaining to their offices or employments; and if, in his judgment, any appointive county officer or deputy or employee thereof is not efficiently performing his duties, as required by law, or by this Charter, and is not doing his work in a faithful and efficient manner, it shall be his duty to notify such person and his superior officer in writing of such fact; and, in the event that such officer, deputy or employee does not thereafter perform his duties efficiently and according to law, he shall have the power to remove him by a written notice to that effect, giving his reasons therefor, and his decision in the matter shall be final, unless reversed by a two-thirds majority

of the Civil Service Commission at its first regular meeting after such removal, and any vacancy so created shall be immediately filled in the manner provided by this Charter.

(g) He shall determine the number of deputies and employees in his department, and shall appoint the same from the classified list and may remove them at any time for cause.

(h) He shall hold office for four years from and after the date of his appointment, and until his successor is appointed.

(i) He shall perform all the duties which are now required or which may hereafter be required by the laws of the State, of the county surveyor, except as must be performed by a licensed land surveyor.

(j) He shall appoint a licensed land surveyor as one of his deputies, and the deputy so appointed shall be ex officio County Surveyor and perform all the duties of that office requiring a licensed land surveyor. The salary of the County Surveyor shall be one hundred and fifty dollars per month, from July first, nineteen hundred and seventeen, to December thirty-first, nineteen hundred and eighteen, and thereafter shall be such an amount as may be fixed by the Board of Supervisors.

(k) The Manager may be removed for cause at any time by the affirmative vote of seven members of the Board of Supervisors, in regular session assembled; and said Board shall remove the County Manager whenever a petition demanding his removal shall be filed with them, signed by the qualified voters of the County of San Diego, and equal in number to at least thirty per cent. of the entire vote cast for all candidates for Governor of the State at the last preceding election at which the Governor was elected. Such a petition shall be substantially in the same form, executed in the same manner, verified in the same manner, and checked and reported in the same manner as required by the laws of the State for the recall of an elective officer.

ARTICLE VII.

County Counsel and District Attorney.

Section 1. The County Counsel shall represent and advise the Board of Supervisors, the County Manager, and all county, township and school district officers in all matters and questions of law pertaining to their duties, and shall have exclusive charge and control of all civil actions and proceedings in which the County, the Board of Supervisors, any school district, or any officer of the County, or of a township or of a school district is concerned, or is a party as such. He shall examine and report, in writing, as to the legality of all claims presented against the County; he shall also act as attorney for the Public Administrator in the matter of all estates in which such officer is executor, administrator with the will annexed, or administrator; and the County Counsel shall, in every such matter, collect the attorney's fees allowed therein by law, and shall pay the same into the County Treasury.

Section 2. The District Attorney shall perform all the duties of that office as prescribed by the general laws of the State, ex-

cepting such as this Charter requires to be performed by the County Counsel.

ARTICLE VIII.

Public Defender.

Section 1. It shall be the duty of the Public Defender, upon the request of a defendant, or upon order of the court, to defend, without expense to them, all persons who are not financially able to employ counsel, and who are charged, in the Justice's and Superior Courts with the commission of any contempt, misdemeanor, felony or any other offense. He shall also, upon request give counsel and advice to such persons in and about any charge against them upon which he is conducting the defense; and he shall prosecute all appeals to a higher court or courts of any person who has been convicted upon any such charge, where, in his opinion, such conviction is unjust and such appeal will, or might reasonably be expected to result in a reversal or a modification of the judgment of conviction.

Section 2. He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed Two hundred dollars, and in which, in the judgment of the Public Defender, injustice has been done and the claims urged are valid and enforceable in the courts.

Section 3. He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed.

Section 4. The costs in all actions in which the Public Defender shall appear under this section, whether for plaintiffs or for defendants, shall be paid by the County Treasurer at the times and in the manner required by law or by rules of court, and under a system of demand, audit and payment which shall be prescribed by the Board of Supervisors. It shall be the duty of the Public Defender, in all such litigation, to procure, if possible, in addition to general judgments in favor of the persons whom he shall represent, judgments for costs and attorney's fees, where permissible, against the adverse parties of such persons, and collect and pay the same into the County Treasury.

ARTICLE IX.

Roads, Highways and Bridges.

Section 1. The County of San Diego, exclusive of incorporated cities, is hereby declared to be and is created into one road district, and the County Manager, as Road Commissioner, shall have exclusive direction and control over all work of construction, maintenance and repair of roads, highways and bridges therein, other than work done under contract, and, where any work is done under contract, it shall be his duty to supervise, examine and inspect such contract work as the same progresses, and see that the same is properly performed according to contract, and, when completed, to file his written report thereon with the Board of Supervisors. He shall also have control and

management of all county rock quarries and gravel pits, and of all machinery, tools and other materials, property and instrumentalities necessary for, and connected with the maintenance, construction and repair of highways and bridges.

Section 2. The Board of Supervisors may provide for the formation of highway construction divisions for the construction of roads, highways and bridges; and for the inclusion in any such division of the whole or any part of any incorporated city or town upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town or portion thereof proposed to be so included, at an election held for that purpose; for the organization, government, powers and jurisdiction of such division and for raising revenue therein for such purposes by taxation upon the assent of a majority of the qualified electors of such division voting at an election held for that purpose; also, to provide for the incurring of indebtedness therefor by the county or division for such purposes, respectively, by the issuance and sale, by the county, of bonds of the county or division, and for the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of such county or division, as the case may be; for the payment of the principal and interest of such indebtedness at maturity, provided that any such indebtedness shall not be incurred for the county as a whole without the assent of two-thirds of the qualified electors of the county, or, in case of a division thereof, without the assent of two-thirds of the qualified electors of the division voting at an election held for that purpose, nor unless, before or after the time of incurring such indebtedness, provision shall be made for the collection of an annual tax from the county or from the division, as the case may be, sufficient to pay the interest on such indebtedness as it falls due, and, also, for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. The procedure for voting, issuing and selling such bonds, except in so far as the same shall be otherwise prescribed by this Charter, shall conform to the general laws for the authorizing and incurring of bonded indebtedness by counties or divisions thereof, so far as applicable; provided, further, that, if the work to be done under the said bond issue is to be done by contract, the work shall be done under the supervision of the County Manager; or, if the work be done in any other manner, it shall be done under the direction and control of the County Manager; and provided, further, that the construction, care, maintenance, repair and supervision of roads, highways and bridges, for which aid from the State is granted, shall be subject to such regulation and conditions as may be imposed by the legislature.

ARTICLE X.

Department of Public Welfare.

Section 1. There is hereby created a Board of Public Welfare,

which shall consist of seven members, two of whom shall be appointed by the Governor of the State of California, two by the majority of the Judges of the Superior Court of the County of San Diego, and two by the Board of Supervisors; and the County Manager shall be ex officio a member of said Board, and shall be the chairman thereof. The said Board shall be appointed in time to take office on the first day of July, A. D. Nineteen hundred and seventeen, and shall, at their first meeting, so classify themselves that two members thereof shall hold office for two years, two for four years, and two for six years; and, whenever the term of a member expires, his successor shall be appointed by the same authority which made the original appointment. The members thereof shall serve without compensation. This Board may establish and maintain a County Hospital, prescribe the rules for the government and management thereof, and may establish alms houses and county farms, prescribe the rules and regulations for the government and management thereof, and may establish and maintain such other charitable institutions, as in their judgment may be necessary in the County of San Diego, and prescribe the rules and regulations for the government and management thereof. They shall also provide for the care and maintenance of the indigent sick or indigent poor of the county. They shall also provide for the burying of the indigent dead. They shall be and constitute the Board of Health of the County and shall perform all the duties required thereof by the laws of the State. They may establish a detention home, or branch detention home, and prescribe the rules and regulations for the government and management thereof. They shall constitute the Probation Committee of the County, and perform all the duties of a Probation Committee as required by the laws of the State. They shall, unless otherwise provided in this Charter, perform all such other duties as the State law requires of Boards of Welfare.

Section 2. The Board shall have the expenditure of all money appropriated to this department in conformity with the law; but all materials and supplies required for its use shall be purchased by the Purchasing Agent. The Board shall provide and carry out a general plan for the organization of all of the charitable and public welfare work of the County.

Section 3. The Board shall appoint, from the certified list of the Civil Service Commission, a Director of Health and Charities who shall be directly and solely responsible to the Board of Public Welfare and under the general direction of the Board. The office of Director of Health and Charities shall be filled by a practitioner of medicine, licensed by the State of California, and who shall have practiced in his profession for at least five years.

Section 4. The Director of Health and Charities shall have the supervision and control over all the charitable institutions and charities of the County, including the general hospital, the tuberculosis hospital, the county dispensary, the alms house, the indigent relief, and of all dependent, defective and delinquent persons in need of County medical or charitable relief. He shall, when empowered to so do by the Board of Public Wel-

fare, initiate and put into operation all measures pertaining to the health of the community which come under the supervision of the County Government. He shall appoint, with the approval of the Board, from the eligible list, certified by the Civil Service Commission, all employees necessary for the performance of the work of his department, and shall supervise the performance of their duties, and may remove them at any time for cause according to the rules of the Civil Service Commission. It shall be the duty of the Director of Health and Charities to receive and act upon all petitions for County and State aid, to investigate them, and if in his judgment they should be granted, to grant the same, or such an amount as he deems proper under the circumstances.

Section 5. The Director of Health and Charities shall be ex officio Health Officer of the County of San Diego, and perform all the duties of that office.

Section 6. There shall be included in the budget each year an amount sufficient to support the work of the Board of Public Welfare, and, for that purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the county at the rate of twenty cents on each one hundred dollars of the assessed valuation thereof, and the said Board of Public Welfare shall not exceed in its work the said amount of money so levied for it each year; provided, however, that land may be acquired or buildings may be erected from the proceeds of a bonded indebtedness created in the same manner that other county bonds are voted, issued and sold.

Section 7. The Board shall appoint, from the eligible list as certified by the Civil Service Commission, a Probation Officer, who shall appoint, from the certified list of the Civil Service Commission, such assistant probation officers as may, in the judgment of the Board, be necessary, and he shall exercise a general supervision and control over them, and may remove them for cause, according to the rules of the Civil Service Commission. The Probation Officer and assistant probation officers, so appointed, shall perform all the duties required of them by the Laws of the State.

ARTICLE XI.

Purchasing Agent.

Section 1. There is hereby created the office of County Purchasing Agent, and the County Manager shall be the County Purchasing Agent.

Section 2. Except as otherwise in this Charter provided, no county, township or other officer, shall contract for or purchase any furniture, fixtures, tools, supplies, materials or any other articles or property for his use as such officer or for use in or pertaining to his office, except by and through said Purchasing Agent and in the manner hereinafter provided.

Section 3. Whenever any such officer shall require any such furniture, fixtures, tools, supplies, materials, or any other articles or property for his use as such officer, or for use or pertaining to his office, he shall make and present to the Auditor

a written requisition for the same. The Auditor shall thereupon examine such requisition and endorse thereon his approval or disapproval thereof, in whole or in part, as to whether or not funds have been provided for such proposed purchase, and shall deliver the same to the County Manager, who shall thereupon examine such requisition and endorse thereon his approval or disapproval, in whole or in part, and, if approved, the Purchasing Agent shall thereupon make such purchases as have been approved, and shall deliver the same, together with an invoice thereof, to the officer making the requisition, and shall, at the same time, deliver a duplicate invoice to the Auditor. In the event that the County Manager shall disapprove the purchase of said articles, in whole or in part, he shall report to the Board of Supervisors the reason for his disapproval thereof, and his disapproval thereof shall not be overruled by the Board of Supervisors, except by the affirmative votes of six members of the Board.

Section 4. Subject to the regulation and direction of the Board of Supervisors, it shall be the duty of the Purchasing Agent to purchase, from time to time, in quantity, such supplies as may be required for county use, and keep the same on hand for the filling of such requisitions as may be allowed as hereinbefore provided.

Section 5. It shall be the duty of the Purchasing Agent to contract for the purchase of supplies and materials required for use in connection with any and all county institutions.

Section 6. Any incorporated city or town or school district, upon providing funds for that purpose, may require the Purchasing Agent to purchase its supplies; and it shall be the duty of the Purchasing Agent of the County to act as Purchasing Agent for any such municipality or school district whenever requested so to do by it; such service of the County Purchasing Department to be rendered such municipality or school district without compensation from it.

ARTICLE XII.

County Property.

Section 1. The County Manager is hereby made the custodian of all public buildings and property belonging to the County, except such as are required by law to be in the immediate custody of other officers; and it shall be the duty of the County Manager to make and keep on file in his office a complete inventory of all county property, and the same shall be open to the inspection of the public during business hours. It shall be the duty of every county, township and other officer, within five days after entering upon the discharge of the duties of his office, to make and file with the Manager a complete inventory in duplicate of property, belonging to the County of San Diego, or pertaining to his office, received by him from his predecessor; and each officer shall, monthly, within five days after the expiration of each calendar month, make and file with the Manager a report for such month, showing in detail all property belonging to the

County, or pertaining to his office, added thereto during the preceding month, and from whom the same was acquired, and also showing in detail what property of the County, pertaining to his office, has, during such month, been lost, destroyed, consumed, or otherwise disposed of. Complete copies of such inventory and reports, so filed, shall be filed in the office of the County Auditor, and, also, in the office of the Board of Supervisors.

ARTICLE XIII.

Auditing and Accounting.

Section 1. The County Auditor shall be appointed by the Civil Service Commission from their certified list, and shall hold office until removed for cause, as in this Charter provided.

Section 2. The Auditor shall, on or before July first, nineteen hundred and seventeen, inaugurate and install, in each county and township office, a modern system of accounting, so that the books of all officers shall be uniform in system, and the Auditor shall, at least once every three months, audit said books to see that said county and township officers are keeping the same according to said system and up to date, and any delinquency in this respect shall be immediately reported to the County Manager.

Section 3. Each County officer or employee who collects fees, fines, emoluments, or money from any source, due the County, or any profit arising out of the conduct of his office, shall file with the Auditor, on or before the first Monday of each month, an itemized statement, under oath, showing from what source the fees, fines, or other money was received during the preceding month; and shall also include in this report an itemized statement of all expenses incurred by said office during the preceding month, including his salary and the salaries of all his deputies and employees; and duplicate copies of said statement shall be filed with the County Manager and the Board of Supervisors, and the Auditor must not pay any officer his salary until he files said monthly statement and pays into the County Treasury all fees, fines and other moneys which have been received by him.

Section 4. Each county officer shall file with the Auditor on or before the first day of July of each year, an estimate in detail of the amount of money that he will need to run his office for the fiscal year next ensuing, and he shall not be permitted to expend more than is allowed his office in the budget, except that, by the approval of the County Manager and the affirmative votes of six members of the Board of Supervisors, he may be permitted to exceed the amount estimated therein, in an emergency, and said excess shall be drawn only from the Emergency Fund. The word emergency, as used herein, shall mean the happening of some unusual and unforeseen event, and not the ordinary running expenses of the office.

Section 5. The Auditor shall annually, on or before the fifteenth day of July, make a report compiled from the monthly reports of the county and township offices showing in detail the

monthly receipts of each officer and the monthly expenses of each office for the preceding fiscal year, together with all other expenses of the county for the said year. In this report, he shall also include the amount of estimated expenses of said year, as submitted by each officer, and the actual expenses incurred by each office during the year, and he must also show therein the expenses of each office for the two preceding years. He must also include therein a complete balance sheet of the financial condition of the county, and a detailed statement setting forth the sources and amounts of all revenues received by the county, all indebtedness existing and outstanding against the county on the thirtieth day of June of said year, the total assessed value of all property in the county as shown by the last assessment, the tax rate, as levied by the Board of Supervisors, the actual amount of taxes paid into the county, and the total amount of delinquent taxes remaining unpaid on the thirtieth day of April of said year. He shall also, in connection with said report, make up an annual budget showing the amount of taxes proposed to be raised for the ensuing fiscal year, and the specific purposes for which the same are to be raised. Such report, when so completed, shall be submitted to the County Manager for his written suggestions relative thereto, and said report, together with the Manager's suggestions relative thereto, shall be printed in pamphlet form prior to August tenth, and distributed to all citizens and taxpayers of the county who ask for the same, on or after said date.

ARTICLE XIV.

Annual Budget.

Section 1. When the Auditor has completed his annual budget, and the County Manager has made his written recommendations relative thereto, and the same has been printed and distributed, as hereinbefore provided, it shall be submitted to the Board of Supervisors for approval. In passing upon the budget, the Board of Supervisors may eliminate or reduce the amount of any item, but in no case may it increase the estimate as made by the Manager in his recommendations, although it may request that officer to reconsider his estimate on any particular item thereof. If the Manager, for good reasons, raises the estimate, then the Board may adopt the raised estimate. In making up the budget, a county office emergency fund, not to exceed ten thousand dollars, shall be included. This fund may be drawn upon in emergencies, but only after the written recommendation of the County Manager and a resolution of approval by the affirmative votes of seven members of the Board of Supervisors. This Emergency Fund must be maintained solely for the county officials other than the Board of Supervisors. There shall also be included in the budget an amount sufficient to support the work of the Civil Service Commission, and, for this purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the county, at the rate of not less than one cent on each one hundred dollars of the assessed value thereof.

Section 2. There shall also be included in the budget an

amount sufficient to support the work of the Board of Public Welfare, and, for this purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the County at the rate of twenty cents on each one hundred dollars of the assessed valuation thereof.

Section 3. The Auditor shall have an annual report of the financial condition of the County printed in pamphlet form in manner to be designated by the Manager; one printed copy of said report to be filed with the Board of Snpervisors, nineteen copies with the Grand Jury, one with each Judge of the Superior Court, and the remainder thereof for general distribution. This report shall be in lieu of the report required by general law to be published by the Board of Supervisors.

Section 4. No claim shall be allowed against the County, or paid, unless the same shall have been checked and approved, in writing, by the Auditor, as within the budget.

ARTICLE XV.

Assessor and Board of Appraisers.

Section 1. The County Assessor shall be appointed by the Civil Service Commission from their certified list, and shall hold office until removed for cause, as in this Charter provided.

Section 2. There is hereby created a County Board of Appraisers. It shall consist of three members, to be appointed by the County Manager; each member thereof shall be a qualified elector of the County of San Diego and shall be a freeholder thereof.

Section 3. It shall be the duty of said Board of Appraisers to appraise the real property of the County of San Diego at its full cash value once every four years, in such form as may be prescribed by the Manager. In determining said work of appraisalment, the Board of Appraisers shall work in conjunction with the Assessor, and it shall also attend the sessions of the County Board of Equalization each year and advise with the said Board as to the raising and lowering of any assessment.

Section 4. The compensation of each of said appraisers shall be five dollars per day for a period not exceeding sixty days for each appraisalment year for making said appraisalment, and for such further time as he may be before the Board of Equalization, not to exceed twenty days for each year, together with all actual and necessary traveling expenses, said expenses, however, to be subject to the approval of the County Manager. The County Manager shall provide said Board with such supplies as shall be necessary for the performance of its work, and shall provide it with an office in the County Court House when needed.

ARTICLE XVI.

Civil Service.

Section 1. There shall be a Civil Service Commission, consisting of three commissioners, one of said commissioners shall be appointed by the Governor of the State of California; one of said commissioners shall be appointed by a majority of the

Judges of the Superior Court in and for the County of San Diego, and one of said commissioners shall be appointed by the Board of Supervisors of the County of San Diego; said appointments to be made within thirty days after this Charter shall be ratified by the Legislature. Each of said commissioners shall serve for six years and until his successor is appointed and qualified, and said three persons so appointed shall so classify themselves that one shall serve for two years, one shall serve for four years, and one shall serve for six years, and, thereafter, each commissioner shall serve for a term of six years; and the successor to the commissioner appointed by the Board of Supervisors shall be selected by the Board of Supervisors; and the successor to the commissioner appointed by the Superior Judges shall be appointed by the Superior Judges; and the successor to the commissioner appointed by the Governor of the State of California shall be selected by the Governor of the State of California; and any vacancy in any position shall be filled by the appointing power whose duty it was to make the original appointment. No more than one member of said commission shall be an adherent of the same political party. No member shall any other office of the County or any County employment, nor shall he have been, within the year next preceding his appointment, an executive or committeeman in any political organization. Each member shall have been a resident of the County for the five years next preceding his appointment, and his name shall be upon the County assessment roll at the time thereof.

Section 2. The Board of Supervisors, by an affirmative vote of seven of its members, may remove a member of the Commission during his term of office, but only upon stating in writing the reasons for such removal, and allowing such commissioner an opportunity to be publicly heard in his own defense.

Section 3. The Commission shall elect one of its members as President, and shall appoint and fix the compensation of a Chief Examiner, who shall also act as Secretary of the Commission. This position shall be in the competitive class.

Section 4. The Commission may appoint and fix the compensation of such other subordinates as may be necessary in the proper performance of the work.

Section 5. Each member of the Commission shall receive a compensation of ten dollars for each meeting thereof attended by him, not to exceed five meetings in any one calendar month.

Section 6. For the support of the work of the Commission, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the County, at the rate of not less than one cent on each one hundred dollars of the assessed valuation thereof. Any part of the tax so collected for the fiscal year, not expended during such fiscal year or required to defray expenses during such year, shall, at the end of the fiscal year, be placed in the general fund of the County.

Section 7. The Civil Service of the County is hereby divided into the unclassified and classified service. The unclassified service shall comprise:

(a) The General Manager, who shall be certified in the manner hereinafter provided;

(b) All officers elected by the people;

(c) The County Counsel, who shall be certified in the manner hereinafter prescribed.

(d) Special Counsel and Special Detectives under temporary employment;

(e) In the office of the Sheriff, the Under Sheriff; in the office of the Treasurer, the Chief Deputy; and in the office of the District Attorney, his assistant or chief deputy;

(f) Superintendent of Schools;

(g) Members of the County Board of Education;

(h) Members of the Civil Service Commission;

(i) All officers and other persons serving the County without compensation.

The classified service shall include all other officers, deputies, employees and positions now existing or hereinafter created.

Section 8. Whenever the position of County Manager is to be filled, the Civil Service Commission shall certify to the Board of Supervisors the names of not less than three men qualified by experience, training and reputation for said position, and shall not be confined in said recommendations by any limitations as to residence, except that each of the persons so certified shall be a citizen of the United States, and said certification shall be made only after a thorough investigation by said Commission of the training, experience and qualification of said men so certified.

Section 9. Whenever the position of County Counsel is to be filled, the commission shall certify to the Board of Supervisors the names of three men, residents of the County of San Diego, State of California, who have resided therein not less than twelve months, and who are qualified by education; training and experience to fill said position.

Section 10. The Commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations, and shall, as a Board or through a single Commissioner, make investigations concerning the enforcement and effect of this Article and of the rules and efficiency of the service. It shall make an annual report to the Board of Supervisors.

The rules shall provide:

(1) For the classification of all positions in the classified service.

(2) For open competitive examinations to test the relative fitness of applicants for such positions.

(3) For public advertisement of all examinations.

(4) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.

(5) For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the

Commission in regard to age, residence, sex, physical condition, or who have been guilty of crime or of infamous or disgraceful conduct, or who have attempted any deception or fraud in connection with an examination.

(6) For the appointment of one of the three persons standing highest on the appropriate list.

(7) For a period of probation not to exceed six months, before appointment or promotion is made complete, during which period a probationer may be discharged or reduced with the consent of the Commission.

(8) For non-competitive examinations for minor positions in the County institutions, when competition is found to be impracticable.

(9) For temporary employment of persons on the eligible list until the list of the class covering temporary employment is exhausted; and, in cases of emergency, for temporary employment without examination, with the consent of the Commission, after the eligible list has been exhausted. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list, be a bar to appointment to a permanent position from said eligible list.

(10) For transfer from one position to a similar position in the same class and grade and for reinstatement within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced.

(11) For promotion based on competitive examination and records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointment. An advancement in rank or an increase in salary beyond the limit fixed for the grade by the rules shall constitute promotion. Whenever practicable, vacancies shall be filled by promotion.

(12) For suspensions for not longer than thirty days and for leaves of absence.

(13) For discharge or reduction in rank or compensation after appointment or promotion is complete, only after the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated, and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a record with the Commission.

(14) For the appointment of unskilled laborers and such skilled laborers as the Commission may determine in the order of priority of application after such tests of fitness as the Commission may prescribe.

(15) For the establishment of a Bureau of Efficiency consisting of the Commission, the secretary thereof and

the County Manager, for the purpose of determining the duties of each position in the classified service, fixing standards of efficiency, investigating the methods of operation of the various departments, and recommending to the Board of Supervisors and department heads, measures for increasing individual, group and departmental efficiency, and providing for uniformity of competition and simplicity of operation. The Commission shall ascertain and record the comparative efficiency of employees in the classified service, and shall have power, after hearing, to dismiss from the service those who fall below the standard of efficiency established.

(16) For the adoption and amendment of rules only after public notice and hearing.

The Commission shall adopt such other rules, not inconsistent with the foregoing provisions of this section, as may be necessary and proper for the enforcement of this Article.

Section 11. In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some designated person of recognized attainments, the Commission may, after public hearing and by the affirmative vote of all three members of the Commission, suspend competition, but no such suspension shall be general in its application to such positions, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the Commission.

Section 12. All examinations shall be impartial, and shall deal with the duties and requirements of the position to be filled. When oral tests are used, a record of the examination showing basis of rating, shall be made. Examinations shall be in charge of a Chief Examiner, except when members of the Commission act as examiners. The Commission may call on other persons to draw up, conduct or mark examinations, and, when such persons are connected with the County service, it shall be deemed a part of their official duties to act as examiners without extra compensation.

Section 13. The Commission shall maintain a civil list of all persons in the County service, showing in connection with each name the position held, the date and character of every appointment and of every subsequent change in status. Each appointing officer shall promptly transmit to the Commission all information required for the establishment and maintenance of said civil list.

Section 14. The Auditor shall not approve any salary or compensation for services to any person holding or performing the duties of a position in the classified service, unless the pay roll or account for such salary or compensation shall bear the certificate of the Commission that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this Article and of the rules established thereunder.

Section 15. Charges against any person in the classified service may be made to the Commission by any elector of the County, such charges to be in writing.

Section 16. In any investigation conducted by the Commission, it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation, and each Commissioner shall have the power to administer oaths to such witnesses.

Section 17. No person in the classified service, or seeking admission thereto, shall be appointed, reduced, removed or in any way favored or discriminated against because of his political or religious opinions or affiliations.

Section 18. No officer or employee of the County, in the classified service, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political party or political purpose whatever. No person shall, orally or by letter, solicit, or be in any manner concerned in soliciting, any assessment, subscription, or contribution for any political party or purpose whatever from any person holding a position in the classified service.

Section 19. No person holding a position in the classified service shall take any part in political management or affairs, or in political campaigns, further than to cast his vote and to express privately his opinions.

Section 20. Any person wilfully violating any of the provisions of this Article, or of the rules established thereunder, shall be guilty of misdemeanor.

Section 21. The Civil Service Commission is hereby authorized and empowered to call to its aid and assistance in establishing and maintaining the complete working of Civil Service in San Diego County, according to modern civil service principles, the Bureau of Civil Service established by the United States Government, and to expend from the Civil Service Fund the amount of money necessary to secure such assistance in establishing and maintaining such a department.

Section 22. The Civil Service Commission shall, whenever lawfully requested so to do, by any municipality or district in the County of San Diego, perform all the duties of a Civil Service Commission for said municipality or district, in the same manner as is herein provided that it shall perform them for the County of San Diego, the compensation to be paid therefor by said municipality or district to be fixed by ordinance of the Board of Supervisors; said compensation, however, not to be in excess of the actual cost to the County of performing said service.

Section 23. The Civil Service Commission shall advise with and assist the Board of Supervisors in fixing the initial salary schedule for the officers, deputies and employees under the provisions of this Charter.

Section 24. The Civil Service Commission shall appoint the County Auditor and the County Assessor from its certified lists whenever there is a vacancy in said offices, or either of them.

Section 25. The compensation of any elected county or township officer shall not be increased for the term during which he was elected, nor within ninety days preceding his election. No compensation for any position under civil service shall be increased or reduced without the consent of the Civil Service Commission specifically given therefor, in writing.

ARTICLE XVII.

Consolidation of City and County Offices

Section 1. The County Assessor, County Auditor, County Tax Collector and County Treasurer, shall, upon the request of any municipality in the County of San Diego, assume and perform for said municipality, so requesting it, all the duties of their offices pertaining to the assessment and collection of taxes and disbursements of moneys for said municipalities. And the Board of Supervisors shall, by ordinance, provide for the assessment and collection of all taxes for said municipalities whenever lawfully requested by them that such assessments and collections be made by the proper County officers; the compensation to be paid therefor to the County of San Diego to be fixed by ordinance of the Board of Supervisors, said compensation, however, not to exceed the estimated actual cost to the County of performing said service.

ARTICLE XVIII.

Labor.

Section 1. In the employment of persons in the service of the County, where sex does not actually disqualify and where the quality and quantity of service is equal, there shall be no discrimination in selection or compensation on account of sex.

Section 2. Eight hours of labor shall constitute a day's work for officers, deputies, stenographers, mechanics, laborers and all other employees of the County, exclusive of time going to or coming from the place of employment.

Section 3. Every person who shall have been in the service of the County continuously for one year shall be allowed a vacation of two weeks on full pay annually. Every County office shall be open for the transaction of business from nine o'clock a. m. to five o'clock p. m., except on holidays.

Section 4. The Board of Supervisors shall prohibit enforced labor without compensation as a penalty for the commission of public offenses. The net earnings of all County prisoners, based upon reasonable compensation for services performed, shall go to the support of their dependents, and, if such prisoners have no dependents, such net earnings shall accumulate and be paid to them upon their discharge.

ARTICLE XIX.

Miscellaneous.

Section 1. This Charter shall go into effect and shall be operative from and after the date of its ratification by the Legislature

of the State of California, excepting in the particulars in this Charter provided, including initiative, referendum and recall proceedings.

Section 2. The Constitution and General Laws of the State of California shall apply to all matters not specifically provided for in this Charter.

Section 3. If any particular section or part of this Charter shall, for any reason, be judicially determined to be invalid, such invalidity shall not affect the remaining portion thereof.

Section 4. Nothing in this Charter shall be construed to affect the term of office of any of the elective officers of the County and of the townships thereof, in office at the time this Charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they were elected, unless sooner removed in the manner provided by law; but the successors of each and all of said officers shall be elected or appointed as in this Charter provided, and not otherwise. As to all assistants, deputies and employees of the elected or appointed officers of the County, and other employees of the County, this Charter shall become effective and in operation from and after the first day of July, A. D. nineteen hundred and seventeen, and all the vacancies thus created shall be filled in the manner as in this Charter provided, except that incumbents shall retain their positions until their successors are appointed. Where a consolidation of offices has been provided for in this Charter, the same shall go into effect on the first Monday after the first day of January, A. D. nineteen hundred and nineteen; provided that, should a vacancy occur in any office so consolidated with any other, prior to said date, from any cause, such vacancy shall not be filled, but the consolidation as to such office shall go into effect immediately upon the happening of such vacancy.

Section 5. The salaries of all township officers, and all County officers and employees, shall remain as the same are now fixed by the Board of Supervisors or by law, until the first day of July, A. D. nineteen hundred and seventeen; thereafter they shall be fixed and paid in amount and manner in this Charter provided.

Section 6. The words included in this Charter in the masculine gender include the feminine, and the singular includes the plural where the text so requires.

Section 7. The District Attorney, Public Defender, County Counsel, their assistants, deputies and stenographers shall not engage in any private law practice during the term of their offices or employments, and each and all of the elective and appointive County officers and employees shall devote all their time and attention during business hours exclusively to the duties of their respective offices; provided, however, that this section shall not apply to the Board of Supervisors, the Civil Service Commission, the Board of Public Welfare, and appointive officers not receiving a compensation.

Section 8. The Public Administrator shall pay into the County Treasury all fees collected by him for administering upon

any estate, either as executor, administrator with the will annexed, or administrator, as soon as received, and the salary of the Public Administrator is fixed at the sum of eighteen hundred dollars per annum from July first, nineteen hundred and seventeen, until the first Monday after the first day of January, nineteen hundred and nineteen; and the County Counsel, as soon as appointed, shall be attorney for said Public Administrator; and the said Public Administrator is prohibited from employing any special counsel whatever in the conduct of the estates handled by him as Public Administrator.

Section 9. No agent, attorney, stockholder or employee of any firm or association or corporation, doing business under and by virtue of any franchise granted by, or contract made with the County of San Diego, nor shall any person doing business with said County, nor shall any person financially interested in any franchise or contract, be eligible to or hold any appointive office in the County of San Diego.

Section 10. It shall be the duty of the Governor, within thirty days after this Charter is ratified by the Legislature of the State of California, to appoint Supervisors for the Third, Sixth, Seventh and Eighth Districts, to serve as such until the election and qualification of their successors under the provisions of this Charter. It shall also be the duty of the Governor to make any and all other appointments to appointive offices provided in this Charter, in the event that the appointive power, as provided in this Charter, shall fail to make the proper appointment within thirty days after the time provided in this Charter for it or them to make such appointments.

Section 11. Should this Charter not be ratified by the Legislature prior to July first, nineteen hundred and seventeen, then, and in that event, this Charter shall go into effect for all purposes sixty days after its ratification by the Legislature.

We, the undersigned, members of the **Board of Freeholders of the County of San Diego, State of California**, elected at a general election held in said County on the seventh day of November, nineteen hundred and sixteen, to prepare and propose a Charter for said County in accordance with the provisions of Section 7 1-2, Article 11, Constitution of the State of California; have prepared and do hereby propose the foregoing as a Charter for said County.

SAM FERRY SMITH, Chairman,
R. C. ALLEN,
WILLIAM R. ANDREWS,
HORACE AUGHE,
JUDSON BENT,
GEO. A. GARRETT,
EDWARD L. HARDY,
MATHIAS F. HELLER,
I. ISAAC IRWIN,
GEORGE W. MARSTON,
J. N. TURRENTINE,
W. W. WHITSON.

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UNIFICATION OF LOCAL GOVERNMENTS IN CHICAGO

REPORT PREPARED BY THE
CHICAGO BUREAU OF PUBLIC EFFICIENCY

315 PLYMOUTH COURT

CHICAGO BUREAU
OF
PUBLIC EFFICIENCY

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TABLE OF CONTENTS.

	PAGE
INTRODUCTION	5
TEXT OF REPORT	7
I. City Government in the United States.....	7
II. The City Manager Plan for Chicago.....	16
III. Chicago's Unification Problem.....	20
IV. Benefits of Complete Unification.....	29
Useless Overhead Expense.....	30
Enormous Election Costs.....	31
Cumbersome Assessing Machinery.....	33
What the Courts Cost.....	34
Expensive Law Departments.....	38
Accounting Agencies	40
The Purchase of Supplies and Materials.....	41
Park Consolidation	43
Rent, Light and Telephone Service.....	44
Sanitary District	45
Other Economies Possible	46
Recapitulation of Money Savings.....	47
The Real Need for Consolidation.....	49
V. Features of the Reorganization Program that Can Be Put into Effect without Changing the State Constitution....	50
VI. First Steps in the Unification Program.....	54
Charts:	
The Governmental Situation in Chicago.....	Opposite 18
Organization Proposed for a Unified Govern- ment of Chicago.....	“ 18
Map:	
Sanitary District of Chicago and the City of Chicago	“ 22
APPENDIX A—	
An Argument for Court Consolidation, by Herbert Harley, Sec- retary American Judicature Society.....	59
APPENDIX B—	
I. Skeleton Plan of Organization for a Unified Government for Chicago	64
II. Tabular Statement Showing Distribution, under Proposed Plan of Unification, of the Functions of the Offices and Departments of the Present Local Governments in Chi- cago	69

III. List of Local Governments Now Outside the Present Limits of Chicago, but Within the Proposed City Limits, which Would Be Abolished by Consolidation and the Functions of Which Would Be Taken Over by the Unified Municipality	76
APPENDIX C—	
I. Calendar of Election Events in Chicago for a Period of Years	78
II. Cost of Elections in Cook County, Chicago, and Cicero for the Year 1916.....	80
APPENDIX D—	
Tables of Expenditures for the Fiscal Year 1915:	
1. Summary of All Local Governments in Chicago.....	84
2. Summary of All Local Governments Within the Proposed City Limits.....	85
3. City of Chicago.....	86
4. Cook County	88
5. Sanitary District of Chicago.....	90
6. South Park Commissioners.....	91
7. West Chicago Park Commissioners.....	92
8. Lincoln Park Commissioners.....	93
9. Small Park Districts Within the Present Limits of Chicago	94
10. Cities Outside the Present Limits of Chicago, but Within the Proposed City Limits.....	95
11. Small Park Districts Outside the Present Limits of Chicago, but Within the Proposed City Limits.....	95
12. Villages Outside the Present Limits of Chicago, but Within the Proposed City Limits.....	96
13. Townships Outside the Present Limits of Chicago, but Within the Proposed City Limits.....	97
14. School Districts Outside the Present Limits of Chicago, but Within the Proposed City Limits.....	97
APPENDIX E—	
Charts:	
A Plan for a Metropolitan Court for Chicago.	
Chart Showing Plan of Organization and Departmental Expenditures of the City of Chicago for the year 1915.	
Chart Showing Plan of Organization and Departmental Expenditures of the County of Cook for the Year 1915.	
Chart Showing Plan of Organization and Departmental Expenditures of the Sanitary District of Chicago for the Year 1915.	
Chart Showing Plan of Organization and Departmental Expenditures of the South Park Commissioners for the Year 1915.	
Chart Showing Plan of Organization and Departmental Expenditures of the West Chicago Park Commissioners for the Year 1915.	
Chart Showing Plan of Organization and Departmental Expenditures of the Lincoln Park Commissioners for the Year 1915.	

INTRODUCTION.

This report on the "Unification of Local Governments in Chicago" is the sequel to the report of the Chicago Bureau of Public Efficiency issued in 1913, entitled "The Nineteen Local Governments in Chicago," in which it was declared that the greatest needs of Chicago are unification of its local governments and a short ballot.

The report on The Nineteen Local Governments in Chicago [now twenty-two] showed the complexity of the governmental mechanism of this community. The task involved in working out a detailed solution of Chicago's problem of reorganization and consolidation of its local governments, with enumeration of the gains in efficiency and in money economies, is an enormous one. This report does not purport to be based upon a thorough detailed study of the entire situation, but rather upon a broad survey of a preliminary nature. It was thought that for present purposes this broad preliminary survey would be the more useful.

The main purpose of this report is to show the need for complete unification of the local governments within the metropolitan community of Chicago and to present a simple plan of responsible governmental organization under which greater efficiency might be expected from public officials.

Unless otherwise specifically indicated, the figures and the data as to organization used in this report relate to governmental conditions for the year 1915, that being the latest fiscal year for which complete figures are available.

Mr. George C. Sikes, former secretary of the Bureau, was specially engaged to assist in the preparation of this report. Mr. Clark C. Steinbeck, of the Bureau staff, is deserving of special mention for services rendered in connection with this work.

CHICAGO BUREAU OF PUBLIC EFFICIENCY,

HARRIS S. KEELER,

Director.

January, 1917.

UNIFICATION OF LOCAL GOVERNMENTS IN CHICAGO.

Mounting taxes, without corresponding increase in the volume and quality of public service, continually embarrassed public finances, widespread dissatisfaction with local administration, and frequent clashes of the different authorities with one another, force this community to serious consideration of the question of the fundamental reorganization of local government.

The program for the promotion of efficiency and economy should be three-fold in nature:

1. The effecting of such improvements in service and such economies as are possible under existing laws and constitutional provisions.
2. The passage by the Illinois Legislature of laws for such reorganization in the interest of efficiency and economy as is possible under the present Constitution.
3. Complete unification of all the local governments in Chicago, which will be possible only after extensive modifications of the Constitution of the State.

The second and third features of this three-fold program are the ones to which this report is primarily devoted. The last named of the three subjects—complete unification—will be considered first.

I. CITY GOVERNMENT IN THE UNITED STATES.

Before considering the specific problem which confronts Chicago, it is necessary, in order better to understand that problem, to take a preliminary broad survey of the history of the organization of government in this country—national, state, and local.

City government in the United States is a reflection in large measure of the form of the national government. In the copying process, however, the features of the national government that make for inefficiency have been magnified in state laws and charters applicable to municipalities.

In the view of the founders of the American republic, government was something to be restrained and checked. Such interference with liberty as they had experienced had been at the hands of agencies of government. The idea that government might become too weak to protect the liberties of the people against individuals or combinations of powerful private interests, or to function efficiently in the performance of public duties, did not disturb the framers of the American Constitution. Their deliberate aim was to tie the hands of government through division of powers and a system of checks and balances, so that it could not easily become tyrannical. The framers of the Constitution were powerfully influenced in their thought and work by the writings of 18th century political philosophers, like Montesquieu—theorists and doctrinaires with little practical experience in affairs of state. The plan of government as thus devised and developed in practice is in many respects unique in the world's history and has few counterparts, except as it has been more or less directly copied by other republics of the western hemisphere, which naturally looked to the United States as the model of republican institutions.

States and cities, which had had quite different forms of government before, soon imitated the national model with its divided powers and checks and balances. The diffusion of authority was carried much further, how-

ever, so that today the government of the United States stands—in comparison with most state and city governments—as an example of simplicity and centralization of authority. In form the government of the United States is today substantially what it was a hundred years ago. It has grown in size and in volume of activities. The divisions remain, however, as they were at the beginning—legislative, executive, and judicial—the legislature sub-divided into the two houses of Congress, with the veto power in the President.

The executive power has not been weakened by the creation of a large number of separately elected administrative officials, as is the case with the states and the cities. Not only have local communities the divided powers and the checks and balances of the national government, but they have many other features that make for friction and inefficiency. There are overlapping governments, independent of one another. There are boards and commissions of various sorts exercising a variety of powers, usually with no single correlating agency to bring about harmonious action among the various bodies for the promotion of the public welfare. In addition there is the multiplicity of independent elective officials—legislative, administrative, and judicial. There is also an enormous amount of judicial interference with local administration.

Originally American cities had simple forms of government, which were modified after the adoption of the Federal Constitution to conform to the national model. New York affords an extreme illustration of the changes that have taken place. From the time of the Dongan charter of 1686 down to 1830, New York had a form of municipal government much like that of a British city

of today. Practically all the power was centered in the city council, which organized and controlled all the executive departments and chose the officers to fill them. For a long time, it is true, the mayor was appointed by the governor of the state, but his duties were mainly honorary, like those of the mayor of a British city. In the course of time, however, the selection of the mayor was left to the council.

It was in 1830 that the movement then in evidence throughout the country to make city government conform to the national model came to a head in New York City. A charter convention assembled in 1829 had formulated charter changes that were enacted into law by the Legislature of 1830. The plan provided for a two-chamber council, an elective mayor with a veto power and other checks and balances.

The interpretative comments on this plan by E. Dana Durand, in his *History of the Finances of New York City*, are full of significance. Mr. Durand said:

“The principles expressed by the Convention of 1829 are of great interest. Most stress was perhaps laid upon the separation of the council into two boards, ‘for the same reason which has dictated a similar division of power into two branches, each checking and controlling the other, in our general government.’ Most of the delegates favored also a longer term for the upper house, aiming to make it approximate in nature to the United States Senate. A provision excluding the mayor henceforth from the council and giving him the veto power was designed to furnish an additional check. The convention proposed also that the mayor should thereafter be elected by the people instead of by the council, but as this required a constitutional amendment, the change was not effected until 1834. These changes were intended also to aid in the second great reform

that was advocated,—the division of executive from legislative power.

* * *

“From all this it is perfectly clear that the ideas of the worthy delegates to the Convention of 1829 were all moulded on the conventional example of the federal and state governments. The two mutually restraining houses, the veto by the mayor, the separation of executive and legislative functions, the appropriation system,—all were copied closely. The question whether the different character of municipal affairs might not justify considerable differences in the form of government was not raised. It was apparently not even because specially grievous fault was found in the actual working of the existing system,—for the charges against it, after all, are neither bitter nor specific, but far more on theoretical grounds, that these changes were urged. Be this as it may, it is certain that the objects sought by the charter of 1830 were almost entirely frustrated in practice. The utterances of the convention are chiefly interesting as showing how early and how strong was the movement towards following national precedent.”

Thus was inaugurated in New York City the movement away from the simple council form of government which has gone on until now the council of that city is a body of small importance. The council is retained in name as a concession to democratic tradition, but the real powers of local government are scattered among other agencies,—the mayor, the board of estimate and apportionment, and other boards, both state and local. The state legislature interferes directly with many matters of local administration.

Taking account only of the City government proper, Chicago has drifted less far away from the original simple council form of government than have most other American cities. Disregarding the Municipal Court and

its attaches, the only elective City officials are the Mayor and Aldermen and the City Clerk and City Treasurer. The Mayor has the veto power and makes the appointments—very important powers. But the Council has larger powers than have the legislative bodies of most American cities. An important advantage of New York over Chicago is that the election laws applicable to the former city afford much better opportunities for successful fusion movements along non-partisan lines than are open here.

One great difficulty with the Chicago situation is that there are many local governing bodies aside from the City, as was shown by the report of the Chicago Bureau of Public Efficiency entitled “The Nineteen Local Governments in Chicago”—now twenty-two—and as is also disclosed by charts accompanying this report.

Somewhat later than 1830 there developed in American states and local communities the tendency to elect nearly all administrative and judicial officers, with the result of making confusion worse confounded. Later still came a movement to vest important powers of government in detached boards or commissions, subject to no supervision and therefore essentially irresponsible. Park boards constitute a conspicuous example.

This tendency to multiply governmental agencies continued unabated until about 1900, when there set in a movement toward the simplification of municipal government. This movement, at first represented by the commission form and later by the city manager form of city charter, has since made considerable progress, especially in the smaller cities of the country.

The partisan spoils system of appointments to the public service early found its way into national, state,

and local politics. The effort to combat the spoils system with civil service enactments has had its beneficial results. But in so far as civil service regulations are arbitrary and inelastic, they operate to intensify rigidity and irresponsibility in government.

The fact is that governmental machinery in the United States—more especially state and local—is clumsy in the extreme, and not calculated to produce efficiency. Cities having the commission or the city manager forms of government constitute the principal exceptions, and even in such cities there is likely to be confusion due to the fact that all the local activities of the community are not centered in the commission. American citizens show their capacity for efficient self government in the way in which they function in crises, and in the manner in which they execute particular projects of importance. But in ordinary every-day affairs the machinery of government creaks and produces the minimum of results in return for the maximum expenditure of energy and money.

The best of citizens cannot secure proper results in government working with clumsy machinery. The point of view which has prevailed for over a century, but which of late has become subject to modification, must be reversed. Instead of framing constitutions and laws to tie the hands of government, we must devise machinery under which things can be done. The weakness of government in the United States is most manifest in the cities because there the need for affirmative action is greatest, and the restrictions and checks and balances are the most numerous.

The best results in local government are not to be had from a system constructed on the plan of division of powers and checks and balances. Efficiency calls for the

mingling, not the separation, of legislative and administrative powers. The executive should be the agent of the legislative body and subject to its direction and control. Checks and balances give rise to inaction and irresponsibility. There should be provisions to insure reasonable deliberation, but some single authority should possess the power to bring things to pass, and should be held responsible for inaction as well as for action. Division of power and diffusion of responsibility too often mean stagnation and blocking of needed public improvements, as the experience of American cities demonstrates.

In efficient organizations—whether governmental or business in nature—the delegated power, administrative as well as legislative, is lodged in a legislative body or board of directors, which body or board administers through executive agents selected and controlled by it. The executive authority in Great Britain, for example, is the cabinet, headed by the prime minister, which holds power at the will of the majority in the House of Commons. In British, French, German, Australian and most other well governed cities of the world, the people choose by vote only the members of the city council and that body selects and controls the executive agents. American business corporations follow the same practice. The stockholders choose boards of directors, and those boards take charge of all matters of administration, including the selection of the executive officers. The usual practice is for the directors to designate the executive head and to hold him responsible for the selection of subordinates. Thus the method of American business corporations is almost precisely that of the city manager form of government. How would a business corporation get on if obliged to work under the division of power and check-

and-balance methods to which most of our governments are subject?

Reference is made to national and state governments for the purpose of helping to understand the city government problem, and not with the view of offering suggestions for changes in those fields. The national government is not likely soon to be altered radically in form.

Change in state governments will come slowly also. It is significant, however, that commission government for states has been proposed in some instances. But city government in the United States might almost be said to be in a fluid state, so great and so numerous are the changes constantly under way.

In fact, far too much of the energy of American cities is consumed in mere charter changes which avail little. For example, a city choosing its councilmen by wards will change to the system of election at large, and vice versa. But still the root of the trouble is untouched. There is more variety in city government in the United States than in all the rest of the world. British and French and German cities are not continually tinkering with their charters. They have for the most part simple forms of government, and they use those governments to accomplish things, instead of wasting time in the modification of structural organization.

With the exception of London and Paris, the forms of government of which are affected for the worse from the fact that they are the capital cities of their countries, there is fundamental similarity throughout Europe and Australia in plans of municipal organization. Canada was the same until cities like Toronto and Montreal yielded to the subversive influence of their neighbor, New

York City, and substituted for their simple model an imitation of one of the clumsiest pieces of governmental mechanism in the world.

The most hopeful sign today in the field of American city charter reform is the growth in popularity of the city manager idea, as typified by the charter of Dayton, Ohio. That charter conforms in the main to the plan of municipal government prevailing as a rule throughout the world, outside the United States. It is in accord with the plan of organization of American business corporations, noted for their efficiency. The National Municipal League, at its annual meeting in 1915, held at Dayton, approved the city manager plan for American cities generally, regardless of size. For larger cities, however, it was proposed that the members of the council or commission be more than five in number, and that they be chosen from districts, rather than at large.

II. THE CITY MANAGER PLAN FOR CHICAGO.

If it be agreed that the multitude of taxing bodies in Chicago should be consolidated, what shall be the form of the reorganized government?

The Bureau believes that consolidation of the existing governments of Chicago into one headed by a city manager type of executive would give much better results than any other plan.

The application of the city manager plan to Chicago would be easy, provided the people could be made to see the desirability of the change. Make the Mayor elective by the City Council instead of by popular vote, and substitute an indefinite tenure for the present fixed term, and Chicago will have the city manager plan in essence.

Consolidation might be effected, to be sure, under a form of government with an elective Mayor and City Council, such as now exists in Chicago. But it would be much better, when the reorganization is attempted, to adopt the system calculated to produce the best results. For a generation or more political mayors have been the rule in Chicago. The present system naturally tends to produce political executives. Whereas, under Council selection, it might be possible to secure an executive who would be a capable administrator. At any rate, the control would be centralized in one responsible body, instead of being divided between the Mayor and the Council as it is now. The present system gives rise to too much wrangling and friction. Constant bickerings between the Mayor on the one side and the Council on the other interfere with efficiency. The practical way out of the embarrassment is to do away with the elective Mayor and make the executive the agent of the Council. In that way popular control over government would really be strengthened. The power of the people is dissipated and weakened when delegated power is divided among different independent elective authorities instead of being centralized in one responsible body.

Of course, there should be provision for non-partisan elections, whatever the plan of the consolidated government might be. Non-partisanship is necessary to make any plan of city government work satisfactorily. Partisan methods of nominating and electing local officials—forced upon Chicago by the Illinois Legislature—are responsible for much of the existing dissatisfaction with local government in this community.

The accompanying charts show the present organization of the governing bodies in Chicago and the organization proposed for the unified government.

The chart of organization of a unified government of Chicago presents a modification of the city manager plan. The correct term for the plan presented probably would be council-manager plan. It has seemed best, however, to retain the title of mayor for the chief executive, instead of adopting the term city manager. The president of the Council would be merely the presiding officer, possessing only the same prerogatives otherwise as any other alderman. The Mayor, the real executive head of the City, would be chosen by the City Council for an indefinite term, and subject to dismissal at any time. It might be desirable to give the Mayor a seat in the council chamber, where he could be called upon to explain administrative problems, but no vote. He would have the appointment of all heads of departments, except the Comptroller and the City Clerk, with the power to dismiss at will, except in the cases of the Board of Education, the Board of Tax Commissioners, and the Civil Service Commission. For members of those boards terms of fixed duration might be considered. Selection of the Comptroller and the City Clerk would rest with the Council itself. The Comptroller, as the controller of accounts and the eye of the Council, would be its check upon the administrative departments under the Mayor. The salary rate of the Mayor is left as it is—\$18,000 a year. But when the Council chooses a mayor, it should be free to offer such compensation as may be requisite to secure for the position the best man available, who might or might not be a resident of Chicago. Salaries of department heads, instead of being fixed arbitrarily in advance, should be subject to modification, to make it possible to pay whatever sum may be necessary to secure the person best qualified for the position.

It is suggested that the Council be composed of 35

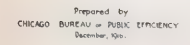


UNIT 1
UNIT 2
UNIT 3
UNIT 4

UNIT 1
UNIT 2
UNIT 3
UNIT 4

NO CENTRAL CONTROL NO CENTRAL RESPONSIBILITY

Salary Expenditures	\$ 39,940,856
Other Departmental Expenditures	29,881,094
Miscellaneous	10,067,250
Bond Interest	3,192,044
Bonds & Certificates Redeemed	11,821,050
TOTAL EXPENDITURES	\$ 94,902,294
Bonds Outstanding at Close of Year	\$ 67,206,000



aldermen, one from a ward. A four-year term for aldermen seems desirable for several reasons, one of which is the enormous saving on election costs from holding a city election only once in four years. If the term is to be that long, however, popular opinion in Chicago probably would insist upon the recall. Without the recall it is likely that the aldermanic term could not be made longer than two years. The Bureau's calculations in this report are upon the basis of a four-year term for aldermen, with the recall.

What the City needs from its aldermen is judgment. With properly organized administrative agencies the members of the Council, even with the greater activities of the enlarged municipality to supervise, should not be required to put in as much time as some of them do now. The "busy boy" type of alderman, who is constantly interfering with local administrative details, is more of a nuisance than a help, or certainly would be in a properly devised government. The salary of an alderman should be sufficient to enable a person of moderate means to hold the position. More is superfluous. Citizens of wealth who might be willing to serve in the Council would find large salaries no added attraction. On the whole, \$4,000 a year seems a reasonable figure for aldermanic salaries under the plan proposed. For important administrative positions, however, much higher rates of pay are required.

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III. CHICAGO'S UNIFICATION PROBLEM.

In considering the problem of consolidation, two questions of fundamental importance present themselves:

1. What should be the territorial limits of the unified municipality?

2. What governing agencies should be eliminated and how should the activities be combined and organized?

With reference to the first question, the territorial limits of the unified government should be the same as those of the metropolitan community. It should include all the contiguous area essentially urban in character, or likely soon to become so, having municipal interests in common. This means that the reorganized Chicago should extend from the Indiana state line to the Cook County line on the north, taking in Evanston, Wilmette, Kenilworth, Winnetka, and Glencoe. It should run to the west as far as settled urban population extends, taking in such places as Oak Park, Riverside, River Forest, and Maywood. It would seem that the boundary lines of the reorganized municipality should correspond closely to the present lines of the Sanitary District. The inclusion of territory within the Sanitary District is an admission that it has at least one interest in common with Chicago. Of course, sewage disposal is not the only interest which residents of the Sanitary District, outside the City limits, have in common with the citizens of Chicago.

It will take several years to bring about the constitutional changes that are necessary prerequisites to complete unification. By the time consolidation shall be legally possible, the natural limits of the reorganized unified Chicago may be more clearly apparent.

For the purpose of this report, the present boundaries of the Sanitary District are taken as the limits of the unified municipality.

There are twenty-two agencies expending taxes for local purposes within the City of Chicago. They are:

City of Chicago

Board of Education

Library Board

Municipal Tuberculosis Sanitarium

Cook County

Sanitary District of Chicago

South Park Commissioners

West Chicago Park Commissioners

Lincoln Park Commissioners

Ridge Avenue Park Commissioners

North Shore Park Commissioners

Calumet Park Commissioners

Fernwood Park Commissioners

Ridge Park Commissioners

Irving Park Commissioners

Northwest Park Commissioners

Old Portage Park Commissioners

Edison Park Commissioners

West Pullman Park Commissioners

Ravenswood Manor-Gardens Park Commissioners

River Park Commissioners *

Commissioners of the First Park District of the City of Evanston. (Partly within Chicago)

The Cook County Forest Preserve District, organized under the act of the Legislature passed in 1913, is technically an additional governing agency with separate taxing

*On account of pending litigation over the question of the organization of the District, the River Park Commissioners are not at present functioning.

powers. Under the provisions of the act, however, the County Commissioners serve, without additional compensation, as the Commissioners of the Forest Preserve District, which is coterminous with Cook County. This arrangement permits the administration of the affairs of the District without bringing into existence an additional set of governing officials.

Within the portion of the Sanitary District outside Chicago, there are 108 taxing bodies, not including the County and the Sanitary District, which appear in the foregoing list. These taxing bodies are:

Five Cities

Berwyn	Harvey
Blue Island	West Hammond
Evanston	

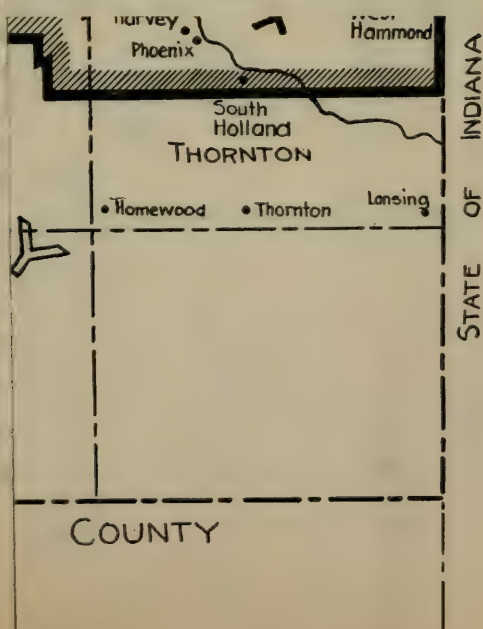
Thirty-five Villages

Bellwood	Gross Point	Riverdale
Broadview	Kenilworth	River Forest
Brookfield	Lyons	River Grove
Burnham	Maywood	Riverside
Burr Oak	Melrose Park	Shermerville
Cicero	Morton Grove	South Holland
Dolton	Mt. Greenwood	Stickney
Evergreen Park	Niles	Summit
Forest Park	Niles Center	Tessville
Franklin Park	Oak Park	Wilmette
Glencoe	Phoenix	Winnetka
Glenview	Posen	

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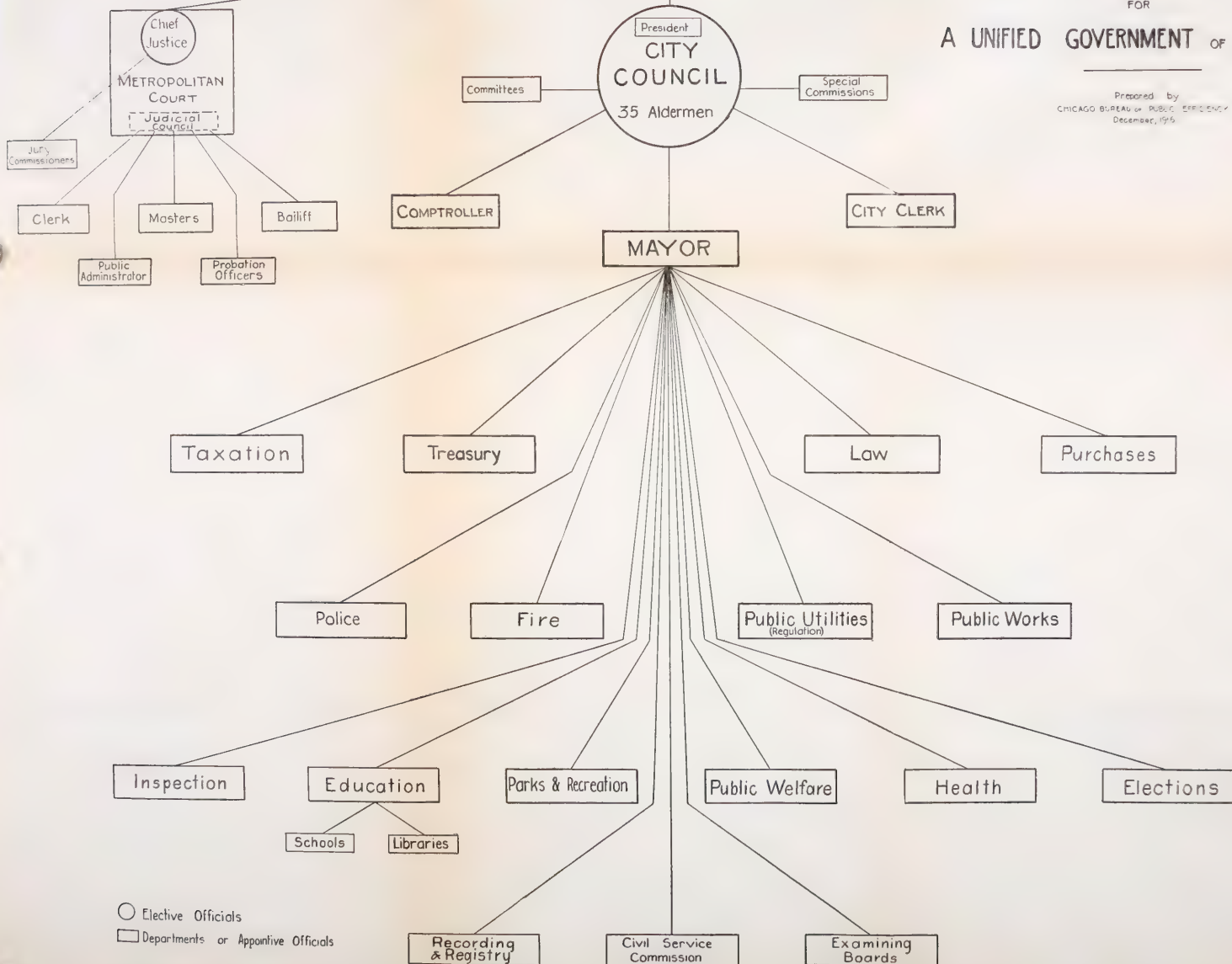
CHART SHOWING

ORGANIZATION PROPOSED

FOR

A UNIFIED GOVERNMENT OF CHICAGO

Prepared by
CHICAGO BUREAU OF PUBLIC EFFICIENCY
December, 1915



Ten Park Districts

Blue Island	Northwest Park	Riverdale
Clyde	District of	River Forest
Glencoe	Evanston	Wilmette
Kenilworth	Oak Park	Winnetka

Fifty School Districts

Eight Townships

(Three of the eight—Calumet, Niles and Stickney—lie partly within the present City limits)

Berwyn	Niles
Calumet	Oak Park
City of Evanston	Riverside
New Trier	Stickney

In addition, there are nine townships partly within and partly without the proposed City limits, the town governments of which would be abolished as to those portions brought within the proposed municipality. These nine townships are:

Bremen	Norwood Park
Leyden	Proviso
Lyons	Thornton
Maine	Worth
Northfield	

The eight townships lying wholly within the present limits of Chicago—Evanston, Hyde Park, Jefferson, Lake, Lake View, North Chicago, South Chicago, and West Chicago—now having only formal existence, could also be formally abolished.

There are also eleven school districts which lie partly within and partly without the proposed City limits. Those

THE BOUNDARIES OF THE SANITARY DISTRICT ARE THE BOUNDARIES SUGGESTED BY THE BUREAU FOR THE UNIFIED MUNICIPALITY.

Scale of Miles
0 1 2 3 4 5

WILL COUNTY

Ten Park Districts

Blue Island	Northwest Park	Riverdale
Clyde	District of	River Forest
Glencoe	Evanston	Wilmette
Kenilworth	Oak Park	Winnetka

Fifty School Districts

Eight Townships

(Three of the eight—Calumet, Niles and Stickney—lie partly within the present City limits)

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portions which would come within the proposed limits would fall under the jurisdiction of the City Board of Education.

Under present conditions, many residents of suburbs like Evanston and Oak Park are averse to annexation to Chicago. There is an important distinction, however, between mere annexation to Chicago by a single municipality and the merger into one effective government of all the urban agencies of the territory naturally comprising the community. The latter proposition ought to meet with general approval.

Arguments against annexation to Chicago frequently used in an adjoining municipality are:

1. That the suburban schools are better than those of Chicago;
2. That local improvements are better looked after, and are subject to greater influence by neighborhood public opinion;
3. That annexation to Chicago would mean loss of identity and individuality to a community.

A unified government organized on right lines ought to provide better educational facilities for the entire community in the long run than a smaller municipality can furnish permanently. Besides, local neighborhood standards, whether in a large city or in a separate smaller community, have their influence upon the school of the neighborhood.

As to the neighborhood and its local improvements, great cities should have special provisions with regard to them. The existence and activities in Chicago of neighborhood improvement associations, striving under difficulties to function in the public interest, indicate the

need of some legal agency to do what these improvement associations try to do. The legal recognition of improvement districts, with administrative agents and revenues for each district for such purposes as street sprinkling and sweeping, weed cutting and snow removal, would do much to obviate the objections to merger with the city. These improvement districts should not be independent governing authorities, but should be subordinate parts of the unified government. In such improvement districts, the names and identities of homogeneous communities within the city could be preserved.

The advantages to suburban communities of a merger with Chicago into a greater city would far outweigh possible disadvantages. The interest of citizens in the welfare and good government of the greater city should be keener than their interest in the welfare of any portion. Residents of suburban areas around Chicago, from motives of enlightened self interest, as well as from public spirit, should join in the movement to promote the well being of the entire community, which they can do effectively only by being a part of a unified government for the entire community.

Tax rates are lower in Chicago than in the surrounding suburbs. Charges for water, gas, and electricity are less.

Tax rates for 1915 in different townships in Chicago upon the assessed valuations—one-third the full value—were: South Chicago, Hyde Park, and Lake (South Park District) \$5.61; West Chicago (West Park District) \$5.92; North Chicago and Lake View (Lincoln Park District) \$5.91.

Outside the limits of Chicago the tax rate within cities and villages varies according to the amounts levied for

school, town and other purposes in different parts of such municipalities. For 1915 the averages of the rates fixed for different parts of the following cities and villages within the Sanitary District outside Chicago were: Berwyn, \$7.44; Blue Island, \$9.45; Evanston, \$7.35; West Hammond, \$6.41; Harvey, \$9.48; Village of Oak Park, \$8.31; Maywood, \$8.79; River Forest, \$9.55; Winnetka, \$9.08; Glencoe, \$9.83; Wilmette, \$8.13.

In explanation of the higher tax rates in suburbs, as compared with Chicago, it is sometimes contended that assessed valuations in the suburbs are lower, so that actual taxes are not so much higher as the comparative rates might be taken to indicate. The effect of thus assessing suburban property at a relatively lower value than Chicago property is to relieve the suburbanites from paying their fair share of State, County, and Sanitary District taxes, which are paid in common by both suburban and city taxpayers, and to shift the burden thereof largely upon the latter. The responsibility for this situation rests with the local assessors, and would be corrected if the revenue laws were more efficiently enforced.

The net price of gas to consumers in Chicago is 80 cents a thousand cubic feet, as against a rate of \$1 in surrounding suburbs. The quality of gas furnished in Chicago at 80 cents is much higher than that supplied to suburban consumers for a price 25 per cent larger.

The water plant of Chicago certainly should be able to give the entire metropolitan community better service than a number of separate plants can furnish.

Transportation problems of the larger community are not solved satisfactorily under present conditions because the political entities do not correspond to the

natural local transportation field. Extension of the limits of Chicago to include Oak Park, Evanston, and other municipalities would not necessarily operate to extend the through route service and one-fare zone of the Chicago street railway system, but the traction settlement ordinances, in anticipation of territorial enlargement of the City, require the companies, if they acquire control of additional lines, to carry passengers for a single fare "within the present or future limits of Chicago." Had these municipalities been a part of Chicago when the traction settlement ordinances were adopted, they doubtless would have been included in that settlement. Merger with Chicago naturally will be followed sooner or later by complete transportation unity (surface, elevated, and subway) for the entire area.

In the educational field, merger with Chicago certainly would mean greatly increased library facilities for suburbs. In addition to its present public library, which would constitute the neighborhood branch, each of these neighborhoods could draw upon the extensive facilities of the Chicago public library system.

The effort to meet common needs of the entire metropolitan area by the maintenance of separate governing agencies, like the Sanitary District, is the most expensive way to the taxpayers of supplying those needs. In the absence of complete unification, the temptation must ever be present to increase the number of such additional governing agencies.

The other question to be considered is what governing agencies should be eliminated and how the activities should be combined and organized.

Cook County is the only one of the local governments exercising jurisdiction within Chicago whose limits ex-

tend beyond those of the proposed municipality. Presumably the sparsely populated portions of Cook County lying without the proposed City could be attached to adjoining counties, thus avoiding the creation of a new county. Inasmuch as the proposed boundary lines of the unified City would be coterminous with those of the Sanitary District, the latter body would fall into the new plan without difficulty.

All the other local administrative and legislative agencies within the reorganized municipality should be merged into the single government. Only the courts should be allowed a separate identity and they should be reorganized by themselves upon a basis of judicial unity and greater simplicity.

In the chart of the proposed unified government, appearing opposite page 18, as well as in the skeleton plan of organization (Appendix B), the twenty-five existing offices and departments of the City of Chicago, as well as the many offices and departments of all the independent governing agencies to be merged with the City, have been consolidated into nineteen offices and departments. Of necessity the suggestions offered are tentative in nature and subject to change. Modifications must be made in the light of experience. The City Council should have the power to create and abolish departments or to make rearrangements suggested by experience.

Fortunately, there is in existence an organization, with headquarters in Chicago, whose special object is the promotion of court reorganization along lines of unity and efficiency. The president of this organization—the American Judicature Society—is Hon. Harry Olson, Chief Justice of the Municipal Court of Chicago, and the secretary is Mr. Herbert Harley. The American Judicature

Society has presented a plan of court organization for metropolitan communities with alternative methods of selecting judges. The Bureau has not made special study on its own account of the subject of court reorganization, but it presents in this report an outline of a plan for Chicago based upon the recommendations of the American Judicature Society. The method of selecting judges embodied in this plan is that suggested for the central west in the publications of this Society. It calls for the election of a chief justice for a four year term, and the appointment by him of all the other judges. The idea is to have a court with a responsible directing head and divisions to which judges would be assigned in accordance with their special qualifications for the cases to be handled. The plan of organization proposed for the Metropolitan Court is set forth in the chart appearing in Appendix E.

IV. BENEFITS OF COMPLETE UNIFICATION.

It is customary to think of benefits of consolidation of governing bodies primarily in terms of money savings. That aspect of the matter is of great importance. The economies to be effected by the proper reorganization of all the local governments in Chicago upon the basis of unity should be enormous—reaching sums calling for measurement not in terms of hundreds of thousands of dollars but of millions of dollars annually. However, even if there were no money savings to be realized by consolidation, or even if reorganization on lines of unity were to call for larger expenditures instead of a decrease, the benefits of the reorganization in the way of improved service would justify the carrying out of the program of unification.

This community is poorly served by its hodgepodge of irresponsible governing agencies, not only independent of one another, but often pulling and hauling at cross purposes. A single governing agency, in which should be centered all the local administrative and legislative functions of the community, but directly responsible to the voters, would be able to render services which existing agencies could not perform nearly so well, if at all, even if directed by officials of exceptional ability. The present system, however, instead of attracting to public employment men of exceptional ability, tends to keep them out, with the result that the places are left at the disposal of partisan spoils political leaders. In this situation the public is fortunate in securing as many good men as it does.

With respect to the money economies which should result from the changes suggested in this report, particular attention is called to the obvious waste now involved in useless overhead organization, in unnecessary elections, in the antiquated methods employed in the assessing and collecting of taxes and special assessments, and in connection with certain other matters of administration. Opportunity for effecting other economies is also pointed out, the purpose in this latter connection being principally to suggest some of the many ways in which public expenditures could be conserved through consolidation and reorganization.

Useless Overhead Expense.

One of the most conspicuous economies that could be effected would be the elimination of overhead expense. Approximately \$550,000 a year is now expended on the salaries of county commissioners, sanitary district trustees, civil service commissioners, assessors, members of

the board of local improvements, comptrollers, treasurers, collectors, purchasing agents, court clerks and attaches, secretaries, chief clerks and other elective and appointive officials whose services would be entirely unnecessary under a properly reorganized and unified government.

Enormous Election Costs.

The waste of money in this community on account of needless registrations, primaries, and elections is enormous. Consternation was expressed when it was shown by the Bureau's report on "The Growing Cost of Elections" issued in December, 1912, that the election expenses of Chicago and Cook County for the year 1912 approximated \$1,000,000, and that the burden on this account had more than trebled in 16 years. However, the election expenses of Chicago and Cook County for the year 1916 were more than \$2,000,000, which means that they have more than doubled in four years. Admitting women to suffrage, thus necessitating more precincts; higher pay for judges and clerks of election; and additional registrations help to explain the increase.

An election calendar, published as Appendix C, shows for a series of years the primaries and elections in Chicago. A table appearing as a part of the same appendix, showing the election expenses of Chicago and Cook County for the year 1916, sets forth the amount chargeable to each primary and election. A municipal election in Chicago and Cicero, with the registration days and primary that go with it, is shown by the figures of that table—prepared in the office of the Election Commissioners—to cost \$694,750. Of this amount approximately \$3,200 is chargeable to Cicero, leaving the cost of a city election in Chicago \$691,550. The cost of a judicial election in Cook County is given as \$175,201 for the portion of the

County within Chicago and Cicero. The additional expense on account of the territory outside Chicago and Cicero is estimated at \$7,500, making the total cost of a judicial election in the County \$182,701. The reason the judicial election costs shown are so much less than the city election costs is that the judicial election upon which the figures are based was preceded by neither a registration nor a primary.

Under the plan of unified government for Chicago as outlined in this report, there would be but three regular elections in each four year period—the two biennial elections in November of each even numbered year, for the selection of national and state officials, and the one combined city and judicial election, at which two officials would be voted for by each elector, one Alderman from each ward in the City and the Chief Justice of the Metropolitan Court. Inasmuch as city elections are now held yearly, this would mean the elimination of three such elections in each four year period. On the basis of 1916 figures, a city election costs \$691,550. The additional expense which results from the necessity for increasing the number of election precincts from year to year is probably not less than \$50,000 a year. Thus the elimination of three city elections during the four year period beginning 1919 would mean a saving of \$2,824,650 or an average annual saving during the period of \$706,162. Even a larger amount would be saved during each succeeding four year period.

There are regularly in each six year period three separate judicial elections. On the basis of the 1916 figures, with the addition of increased expense, due to increasing the number of precincts, the three separate elections in the six year period beginning 1919 will cost approximately \$780,000, or an average annual cost for the period of \$130,000. Thus, if city and judicial elections were

eliminated as proposed, it would mean an average annual saving on this account of \$836,162 for the four year period beginning 1919, and thereafter the saving would be larger each year.

Cumbersome Assessing Machinery.

At the present time, the work of assessing both real estate and personal property for purposes of taxation is handled through the offices of the Board of Assessors and of the Board of Review. The list of real estate to be assessed is made up by the County Clerk. The County Clerk also prepares the tax rolls or collectors' warrants. Between January 2 and March 10, all collections of general taxes for state, county, municipal, and other purposes are made by township collectors. For the eight townships lying wholly within the City of Chicago the County Treasurer acts as ex-officio township collector. Prior to March 10, current special assessments are collected by the City Collector and by the local collectors of other municipalities having power to levy special assessments. After March 10, all general taxes and all delinquent special assessments are collected by the County Treasurer acting as ex-officio County Collector. Tax sales are conducted by the County Treasurer and County Clerk. Redemptions from tax sales are made through the County Clerk's office.

The service to the public which results from the procedure briefly outlined above is in many respects extremely unsatisfactory and involves an enormous amount of waste. The average annual cost of assessing and collecting general taxes and of collecting special assessments over a four year period, including a quadrennial year in which all real estate is revalued, at the present time amounts to approximately \$1,000,000. Of this amount it may be conservatively estimated that not less

than \$400,000 could be saved through the proper reorganization of the present assessing and collecting agencies and the adoption of modern procedure and methods in place of the antiquated procedure and methods now prescribed by the laws of the State. The foregoing estimate of \$400,000 includes \$65,000 of overhead expense which is also included in the \$550,000 of overhead expense mentioned above.

The situation as to personal property assessments is complicated by the difficulties encountered in attempting to apply and enforce the provisions of the law relating thereto. The above figures assume a continuance of substantially the present measure of enforcement with respect to such assessments. Under an enlightened and equitable law for the taxation of this class of property even greater economies probably would be possible.

What the Courts Cost.

In 1915, the cost of conducting the courts of Cook County and the Municipal Court of Chicago was \$2,255,191, distributed as follows:

	<i>Salaries</i>	<i>Other Expenses</i>	<i>Total</i>
Judges	\$395,441	.....	\$395,441
Clerks' Offices	598,414	\$ 29,627	628,041
Sheriff's Office and Bailiff's Office	486,471	21,891	508,362
Jury Commissioners.....	18,305	623	18,928
Jurors and Witness Fees. ....	.....	499,099	499,099
Juvenile Court Probation Officers	132,621	1,454	134,075
Adult Probation Officers.	39,060	537	39,597
Miscellaneous Administration	22,760	8,888	31,648
Total	\$1,693,072	\$562,119	\$2,255,191

The judicial machinery of Cook County and Chicago, as it is now organized, is on the whole conspicuously inefficient and wasteful. There are five separate independently organized County Courts—the Circuit, Superior, County, Probate, and Criminal Courts—and the Municipal Court of Chicago.* The jurisdiction of all these courts is concurrent in many respects and yet cases arise in which no one of them has a sufficiently complete and comprehensive jurisdiction to adjudicate upon all matters involved. There are thirty-eight judges of the Circuit and Superior Courts for the administrative control of whose work no adequate provision now exists. The present judicial organization and procedure lead to much needless annoyance, expense and delay in the disposition of litigation.

There are six separate Clerk's offices. The County Clerk acts as Clerk of the County Court. The heads of the other five offices are independent elective officials. The salary of the Clerk of the Municipal Court is \$6,000 a year; that of each of the other four Clerks is \$9,000 a year.

The work done by the Sheriff's deputies and that done by the deputies of the Bailiff of the Municipal Court overlap considerably. The Sheriff is paid a salary of \$9,960 a year; the Bailiff, a salary of \$6,000 a year.

It must be obvious that a consolidation and reorganization of these courts and of their administrative machinery would mean not only that the service which they render to the community and to litigants would become much more satisfactory in many respects, but also that the cost of administration could be greatly reduced.

*The Appellate Court of the First District which is coterminous with Cook County is not included because it is a State court, the clerk of which is not a local official.

Some of the courts are now far behind in their work, and it is to be expected that as the population increases the work of the courts will increase also. So far as the present number of judges is concerned, therefore, a consolidation probably would not result in its reduction. On the other hand, consolidation and reorganization should so increase the efficiency of the present judicial force as to obviate the necessity for new judgeships which otherwise will be created as the work grows in volume. The ultimate economy which would thus result would of course be considerable since each judgeship of the Circuit and Superior Courts carries a salary of \$12,000 a year and involves incidental expenses of administration of about the same amount.

A very large immediate saving could be effected, however, through consolidation and reorganization of the administrative machinery of the courts. One court would require but one Clerk, where now there are six, and but one executive officer where now there are two—the Sheriff and the Bailiff of the Municipal Court. Thus consolidation would eliminate several elective officials who are paid unnecessarily large salaries.

The maintenance of several independent Clerks' offices involves a duplication of subordinate positions, several of which could be dispensed with if there were but one principal office. The consolidation of all the present Clerks' offices into a single organization should make it possible to effect a saving of not less than \$100,000 a year. Of this amount \$54,000 is overhead expense which is also included in the \$550,000 of overhead expense mentioned on page 30.

A large number of deputy sheriffs and deputy bailiffs are now engaged in serving summonses and other writs.

The Sheriff's deputies and the Bailiff's deputies traverse substantially the same territory, and due partly to the time consumed in travel each deputy serves an astonishingly small number of writs. The consolidation would eliminate entirely the need for two men traveling over the same district, and the Bureau estimates that in that event the services of at least twenty deputy sheriffs now employed could be dispensed with. The resultant saving would be \$40,000 a year. The consolidation would also make it possible to dispense with the Sheriff and with several subordinates who are a part of the overhead organization of the present offices. This would mean an additional saving of \$16,000 a year.

Still further important economies could undoubtedly be effected through the consolidation of these two offices, particularly in connection with the reorganization of the force of bailiffs assigned to preserve order in the courts.

With respect to the serving of summonses and perhaps of some other writs, it would seem that much of the work might be assigned to the police. If such a plan were adopted, a great deal of money could be saved.

The Bureau is not in a position to estimate definitely what the saving from the last two sources might amount to; probably it would total at least \$100,000 a year.

Jurors are now drawn separately for each court, and the number of jurors drawn and kept in waiting in order to insure the prompt and proper filling of juries is much larger than the number that would be required if there were but a single court. Since jurors kept in waiting are paid the usual per diem rate, the larger number required under present conditions means an expense which otherwise would be wholly unnecessary. Fifty thousand dollars a year would seem to be a conservative estimate of

the amount which could be saved on jurors' fees if there were but one court instead of six courts.

Expensive Law Departments.

In 1915, the cost of conducting the law departments of the County (including the State's Attorney's office), City, Sanitary District, and the three large Park Boards aggregated \$984,287 distributed as follows:

County (including the State's Attorney's office)	\$364,732
City of Chicago	
Corporation Counsel	\$232,869
Prosecuting Attorney.....	54,693
City Attorney	133,750— 421,312
Sanitary District	181,790
South Park Commissioners.....	6,868
West Chicago Park Commissioners.....	5,562
Lincoln Park Commissioners.....	4,023
	<hr/>
	\$984,287

The foregoing figures do not include fees paid to special attorneys employed by agencies other than the regular law departments, such as committees of the City Council, the Sheriff, Board of Assessors, Board of Review, the Clerk and Bailiff of the Municipal Court, the Board of Education, Library Board, and the Municipal Tuberculosis Sanitarium.

Substantially all the money above mentioned was expended either directly for the salaries of officials and employes, or in fees paid for special services rendered by attorneys and others not on the payrolls of the several departments.

The maintenance of several independent legal departments results in an excessive amount of overhead organization and in the duplication of many subordinate posi-

tions which could be dispensed with if present organizations were consolidated. A conspicuous example of such duplication is to be found in connection with the work of the State's Attorney and the City Prosecuting Attorney. To each police court there is assigned an assistant State's Attorney, and also an assistant Prosecuting Attorney. The former prosecutes violators of State laws; the latter, violators of City ordinances. While a State case is being heard by the Court, the City Prosecutor sits idly by. When a City case is on hearing this situation is reversed. It has long been recognized that the situation in the police courts would require but one prosecutor provided he could be authorized to prosecute both State and City cases. Only recently the City Finance Committee has suggested that the City Prosecutor's office be abolished and that an arrangement be made with the State's Attorney to pay him \$5,000 a year to handle City cases. Under a single law department there would be no need whatever for the City Prosecutor and his staff, and the saving which would result on the basis of the 1915 figures would be approximately \$54,000 a year.

A detailed study of the work of the different legal departments would undoubtedly disclose many other situations wherein the time of employes could be more efficiently and profitably utilized if there were but a single department.

Another thing which makes for a tremendous amount of inefficiency and waste in the administration of these legal departments is the important part which spoils politics plays in the selection of the appointees thereto. All positions in these departments are outside the classified service. In a report submitted to the City Council in 1913, the Bureau called attention to the abuses result-

ing from such appointments to the staff of investigators in the City Attorney's office. There is reason to believe that similar conditions prevail in other branches of the service.

The consolidation of all the legal work of the different local governments under the control of a single executive head and the elimination of spoils politics in the making of appointments would increase immensely the efficiency of the present organizations, and would also result in savings which, while they can be only roughly estimated, probably would be not less than \$200,000 a year. Any civil service system applied to the law department should contain liberal powers of dismissal, but should confine appointments to the certified list.

Accounting Agencies.

The maintenance of several accounting agencies which is necessitated by the existence of several independent governments results in much needless overhead and other expense. Moreover, within the organizations of several of these governments themselves there is a lack of centralized accounting control which tends to a considerable amount of useless interdepartmental duplication of accounts and other waste. On the other hand, accounts and records as they are now kept are frequently inadequate to furnish either officials or the public with the sort of information which they should be able to obtain. The absence of some controlling accounting authority results in many conflicting and otherwise unsatisfactory reports and statements based upon the accounts.

A properly organized Comptroller's office, the head of which would be clothed with authority to prescribe the manner in which all departmental and other accounting records for a consolidated government should be kept,

would be able to build up a system of accounts which would be adequate for all purposes and which would provide both officials and the public with accurate information in an intelligible form. Besides, it should be possible to operate such a system of accounts at a considerable saving compared with what the present unsatisfactory system costs.

The Purchase of Supplies and Materials.

Advantageous purchasing demands a central purchasing department and the standardization of equipment, materials and supplies to be purchased. In discussing this subject in its report on the Park Governments of Chicago, the Bureau said:

“Centralized purchasing is more advantageous than decentralized purchasing in that it gives to the central bureau a much larger buying power. Large buying power makes it possible to deal direct with manufacturers, in fact, manufacturers will bid against one another for large orders. Limited buying power on the other hand means small orders. Manufacturers are not attracted as a rule by small orders and they are therefore usually placed with middlemen with the result that middlemen’s profits are paid. Even when small orders are placed with manufacturers, the cost is nearly always higher than on large orders.

“Centralized purchasing also makes it possible to maintain a better equipped purchasing plant. Such plants are usually headed by an official purchasing agent who is assisted by a staff of experienced buyers each proficient in buying some one or more particular kinds of supplies or materials. By devoting their entire attention to market conditions, such buyers are often able to foresee fluctuations in prices and by governing their orders accordingly are able to save large sums of money. The office of a properly equipped purchasing agent contains complete files of trade catalogues, special trade bulletins, trade

journals, current price-lists, etc., all carefully indexed for ready reference. Central purchasing methods also facilitate central and more complete financial control which in itself is a very important factor."

* * *

"Within the last few years commercial organizations have awakened to the immense savings which are possible by standardizing their equipment, materials and supplies. Several cities, notably New York, are now engaged in similar work of standardization. An examination of the purchases made by the Park Boards indicates that the large savings which would be possible if the purchasing power of the several Boards were consolidated would be largely increased by a standardization of the objects of purchase.

"The accomplishment of this result would include a careful study by officials especially authorized for that purpose, to determine which kind or grade of each supply and material and also which style of equipment is best adapted for the particular need to be supplied. In determining these matters the officials would, of course, consider the original cost as well as the relative efficiency of the final results obtained therewith. Having determined upon the kinds, grades, styles, etc. best adapted for the particular uses, they would thenceforth be recognized as standard. Adequate descriptions thereof would then be furnished to manufacturers when purchases became necessary, with a request for lowest prices. It would usually be found profitable to purchase large quantities."

The combined buying power of the different local governments in Chicago is enormous, and yet their separate existence makes it practically impossible to exercise that power to advantage in the interest of the tax-paying public.

Each government either maintains a purchasing department or designates some employe to act as purchasing agent. However, except in the case of the County,

authority to purchase and to let contracts for supplies, materials, and equipment is distributed among other departments and employes; this applies particularly to the City itself. Little consideration has been given to the subject of standardization. In many instances payments are not made in a prompt and businesslike way. The foregoing and other conditions incident to present purchasing methods tend to discourage bids from responsible bidders. In fact, many first-class concerns refuse to handle public business at all.

An efficient and well equipped central purchasing department, co-operating effectively with other departments and with the financial officials, would correct present wasteful conditions and would use the combined purchasing power of the consolidated government to effect very great economies. What such economies might amount to it is impossible to estimate accurately, but it is certain that the sum would be very large.

It is practically impossible to obtain complete figures as to the amounts expended annually for equipment, materials, and supplies by the present governments. Such estimates as can be made from figures in published reports and such other data as are readily available indicate that such purchases aggregate more than \$5,000,000; probably the actual amount is very much greater than that. On the basis of these partial figures ten per cent would mean an aggregate annual saving of \$500,000, and ten per cent on present costs is probably a conservative estimate of what an efficient central purchasing department could save the community.

Park Consolidation.

In its report on the Park Governments of Chicago, issued in 1911, the Bureau estimated that the consolida-

tion of the various Park Boards with the City government would result in a saving of \$500,000 a year. During the five years since that report was issued, conditions have changed in some respects both as to organization and other matters, so that the detailed figures then presented are not now in all cases applicable.

The Bureau feels assured, however, that, if Chicago's sixteen Park districts were consolidated and efficiently organized as a department of the City, a saving of at least \$500,000 a year would still be possible. Of this amount \$74,000 is included in the overhead expense figure on page 30, and \$100,000 is included in the amount which it has been estimated a central purchasing department could save.

Rent, Light, and Telephone Service.

Present conditions do not permit of the efficient use of the space in the City Hall and County Building. Some City departments are overcrowded while still others have found it necessary to rent quarters outside the City Hall. The Board of Education and the Sanitary District both rent space in private buildings. On the other hand, there is a large amount of space in the County Building that is wasted because of the necessity of providing quarters for so many separate officials and administrative boards.

Abolishing the County Board; transferring the duties of the County Clerk, the County Treasurer, the Civil Service Commission, and the Sheriff to other departments; and consolidating the tax assessing boards, and also the several court clerks' offices, would release for other uses at least two and one-half of the five and one-half floors in the County building now used for administrative purposes.

The additional space thus made available could be utilized by City departments which are now located outside the City Hall, or which, because of overcrowded conditions, may soon find it necessary to rent or build other quarters. The Sanitary District activities and the offices of the consolidated Park department could be transferred to the combined City and County building, and possibly even the Board of Education could be housed there. The rental value of two and one-half floors in the County building on the basis of five per cent for interest and depreciation, plus operating and maintenance charges, is approximately \$150,000 a year. This amount is about twice the combined rental paid by the Board of Education and the Sanitary District for the premises which they now occupy.

Reducing the number of officials and boards would reduce the cost of light and telephone service as well as rent.

Sanitary District.

The continuance of the Sanitary District as a separate government invites waste. The primary work which the District was organized to perform, namely, the construction of the main Sanitary District Channel and its tributaries, will be soon completed. When this time comes, there is danger that the Board will make an effort to enlarge the scope of its activities so as to perpetuate its existence. In any event, the work which may be left under its jurisdiction can be more economically handled by the City. In the interest of economy as well as efficiency, therefore, the administrative functions of the Sanitary District should be turned over as soon as practicable to the City and the legal existence of the District terminated.

Other Economies Possible.

The foregoing are some of the more important economies which would result from unification and reorganization, but there also would be many others.

The consolidation of departments should make it possible to economize salary expenditures. To illustrate: Transferring to the City Clerk those duties of the County Clerk which would naturally be assigned to the former, would mean a saving of \$25,000 a year exclusive of any items included in the overhead expense figure on page 30. It is estimated by competent authority that, if the duties of the house drain inspectors attached to the Bureau of Sewers were transferred to the staff of the Bureau of Sanitary Inspection in the Health Department, enough duplication of work could be eliminated to save \$20,000 a year.

Several City departments, particularly the Police, Fire, and Public Works departments, employ a large number of shop and other mechanics in the maintenance and repair of buildings and equipment. Each department maintains a separate organization. The County, the Park Boards, the Sanitary District, and the Board of Education also employ mechanics for similar work. Data as to the aggregate amount involved in the annual expenditures for such labor are not readily available, but it totals several hundred thousand dollars. If these forces were operated as a single organization, the cost of the work done should be materially reduced. The plan herewith proposed by the Bureau contemplates the continued control of the schools by a Board of Education, but there would seem to be no good reason why ministerial and administrative matters, such as purchases of supplies and the making of repairs to buildings and equipment

under the jurisdiction of the school board, should not be handled through the centralized agencies maintained by the City for such purposes.

It does not necessarily follow, of course, that employes whose positions would be affected by consolidation and reorganization would be dismissed; many of them could be transferred to other departments which otherwise would require additional help.

Coroner's juries render service of but little value to the community. To abolish them, as might well be done even now, would mean a saving of about \$30,000 a year in juror's fees. If the duties of the Coroner were transferred to the Health and Law departments there would be even less excuse for retaining the present Coroner's jury system.

It will be noted that the economies above suggested are involved almost entirely in operating and maintenance charges. Enormous sums are also expended each year for permanent public improvements. The complete financial control, and co-operation and foresight in the planning and carrying out of such improvements, which a single government could exercise, would mean not only additional economy on a very large scale in connection with this class of work, but an immensely more effective utilization of public resources.

Recapitulation of Money Savings:

The following is a recapitulation of the economies mentioned above which should be effected annually through the consolidation of Chicago's local governments:

Chicago Bureau of Public Efficiency

1. By cutting down overhead expense through reducing the number of supervisory officials	\$550,000
2. By reducing the number of elections with their accompanying registrations and primaries	836,000
3. By reorganizing and consolidating the agencies for assessing and collecting taxes.....	\$400,000
Less overhead expense included in item 1.....	65,000— 335,000
4. By consolidating and reorganizing the courts	
Judicial force	No estimate
Administrative force	
Clerks' offices.....	\$100,000
Less overhead expense included in item 1....	54,000— 46,000
Sheriff's and Bailiff's offices...	140,000
Jurors' fees	50,000
5. By consolidating and reorganizing the law departments of the several governments.	200,000
6. By consolidating and reorganizing the accounting agencies of the several governments	No estimate
7. By consolidating and reorganizing the purchasing departments of the several governments	500,000
8. By consolidating the several park boards with the city government	\$500,000
Less: overhead expense included in item 1.....	\$ 74,000
savings on purchases included in item 7...	\$100,000
	<hr/>
	\$174,000— 326,000

9. By reducing expense for rent, light and telephone service 150,000
10. By abolishing the Sanitary District as an independent government No estimate
11. By consolidating and reorganizing other departmental activities of the several governments No complete estimate practicable

The following items illustrate the possibilities suggested under this heading:

- By consolidating the offices of the City Clerk and County Clerk..... 25,000
- By transferring house drain inspectors from the Bureau of Sewers to the Bureau of Sanitary Inspection.. 20,000
12. By consolidating and reorganizing maintenance and repair forces No estimate
13. By abolishing Coroner's juries..... 30,000
14. By better control of finances and greater co-operation and foresight in planning and carrying out permanent improvements No estimate

Total estimated annual economies. \$3,208,000

The Real Need for Consolidation.

Of course not all waste in the administration of the local governments in Chicago is due directly to their independent existence. Large economies unquestionably can and should be effected by the present organizations. Efficiency, however, is not a matter of inspiration; it is a matter of development, and proper organization is a fundamental necessity in order that the maximum of progress may be made. A unified government could forecast the future needs of the community and could formulate and execute plans to meet them with a degree of efficiency and economy which is utterly impossible under present conditions.

V. FEATURES OF THE REORGANIZATION PROGRAM THAT CAN BE PUT INTO EFFECT WITHOUT CHANGING THE STATE CONSTITUTION.

Complete unification of all the local governments in Chicago is impossible under the State Constitution as it now stands. At the very earliest, the program for unification cannot be carried to success in less than five or six years. Probably the time required will be longer. However, features of the program can be put into effect at once, and thus help to prepare the way for ultimate consolidation when constitutional barriers shall have been removed.

The Legislature of Illinois, with the consent of the people of Chicago on a referendum vote, can give Chicago a city manager type of charter, that is, one in which the City Council selects the Mayor, etc.

The Legislature also can reduce the number of elections for City officials. It can provide for the election of all local and judicial officials on non-partisan lines.

The City Treasurer and the City Clerk, now elective, can be made appointive.

The Bailiff and Clerk of the Municipal Court are not necessarily elective. Provision should be made for their appointment by the Chief Justice or by the judges of the court.

The County Surveyor and the Clerk of the Probate Court are now elective by statute. They should be appointed.

The Legislature should reorganize the agencies for assessing property for purposes of taxation, and for collecting taxes and special assessments. Such reorganization, together with provisions for substituting modern

methods and procedure for the antiquated methods and procedure now prescribed by statute, would result in greatly increased efficiency and large money savings. A single appointive board of tax commissioners should be substituted for the present Board of Assessors and Board of Review.

Continued existence of the Sanitary District is not required by the Constitution, but it seems practically impossible to effect legal consolidation of the City and the Sanitary District so long as the territorial limits of the two governments are different. It is not necessary, however, that the Trustees of the Sanitary District should continue to be elective. The Legislature could provide for their selection in some other manner, if a satisfactory method of appointment could be devised.

When private corporations desire to bring about practical harmony of action, and legal merger is difficult or impossible, the desired end is often attained by the device of interlocking directorates. The people of this community could utilize substantially the same device in a manner beneficial to the public, if they should see fit to do so, and could secure the enabling legislation necessary to its authorization. The present arrangement under which the County Commissioners of Cook County act as Commissioners of the Forest Preserve District affords an illustration in point.

So long as Trustees of the Sanitary District are elective officials, or even appointive officials, of an independent government, having a separate status, the tendency will be for them and their subordinates to magnify the importance of the government with which they are identified, and to desire its continued existence. It is astonishing what pressure can be brought to bear by a

few interested office holders and their political associates to prevent the abolition of governments or positions no longer necessary or desirable, from the general public point of view. If the interlocking directorate idea could be applied to this situation, and members of the Chicago City Council could be made the Trustees of the Sanitary District, the two governments could be caused to work in harmony in the interest of the taxpayers of the community who support both. In so far as tax spending activities of the Sanitary District could be reduced in the public interest, Trustees who are also members of the governing body of the more important municipal entity—the City—might be expected to foster that end.

The method would be to provide for the apportionment of the Trustees according to population to the territory comprising the City of Chicago, and to that outside the City limits. A certain number of Trustees would be chosen from within the City and the remainder from outside, much as Commissioners of Cook County are divided between the City and the territory outside. Provide that the Sanitary District Trustees apportioned to Chicago be named from the Chicago City Council, perhaps by the Council itself, and the interlocking directorate idea would be in effect. Aldermen serving also as Sanitary District Trustees need not be paid for taking on trustee duties more than \$1,000 in addition to their salaries as members of the City Council. The present compensation of Trustees is \$5,000 a year, and \$7,500 for the President, or \$47,500 a year. The adoption of the interlocking directorate plan, in other words, could be made to effect an annual saving in Trustees' salaries of perhaps \$35,000, while producing more economical results for the community in other ways. Instead of having a President designated as such by the appointing agency, it might

be better to provide that the Trustees should select one of their own number as presiding officer, and then choose a business manager as the real executive head of the District. In this manner Trustees of good judgment, even with the devotion to District affairs of a comparatively small portion of their individual time, could secure better results for the District than are obtained under present methods of administration. A competent business executive, or manager, would relieve the Trustees of many of the time-consuming details that now are supposed to demand their personal attention.

In the interest of shortening the ballot, the following elective State officials could be made appointive: the Trustees of the University of Illinois, nine in number, elected from the state at large; twenty-five members of the State Board of Equalization, one chosen from each congressional district, or ten from Cook County; one Clerk of the Appellate Court for the first district which is coterminous with Cook County. University Trustees should be appointed by the Governor. The elective State Board of Equalization should be abolished, and a State tax commission, appointed by the Governor, should be created in its place. The Clerk of the Appellate Court should be named by the Court, and should be paid a salary. Five thousand dollars a year would be enough. The Clerk is now paid in fees, the amount of which is popularly supposed to be at least \$20,000 a year.

One of the best things the Legislature could do for this community, in advance of modification of the Constitution, would be to provide for the election of all local and judicial officials on non-partisan lines. The long ballot is especially harmful when a cross in the party circle at the top of the party column can be made to carry a vote for all the candidates whose names appear in that column.

VI. FIRST STEPS IN THE UNIFICATION PROGRAM.

The constitutional amendment of 1904 prepared the way for the abolition of the justice courts, and for park consolidation. The status of Cook County was not affected by that change, however, and the many detailed provisions of the Constitution of 1870 applicable to Cook County, including the requirement for the popular election of numerous administrative officials, still remain as bars to general consolidation and a shorter ballot. Effective reorganization of the courts is impossible, too, without constitutional changes.

The first step in the program of complete unification of local governments in Chicago, which should be taken by the Legislature of Illinois at its present session, is to prepare for the necessary modifications of the Constitution, broad enough to accomplish the purpose in view. The community also should undertake the thorough study of the difficult problems of reorganization involved, to which this report seeks to direct attention, to the end that legislative changes needed to promote efficiency and economy may be instituted speedily and intelligently, when the constitutional barriers shall have been removed.

Next, the Legislature should give Chicago, at once, a modified form of the city manager plan of government. The change should be made operative before the municipal election of 1919. The law, if passed at the present session, can be submitted to a referendum vote at the judicial election of November, 1917. It could be provided that in case the act is adopted, Aldermen to be chosen in 1918 shall serve for one year only, so that an entirely new group of Aldermen can be elected in 1919, to inaugurate the new system. As already indicated in this report, the

Bureau believes that the number of Aldermen should be reduced from 70 to 35, with one Alderman from a ward. With the recall, there should be no objection to making the term of Aldermen four years. Provision should be made for non-partisan methods of election.

The adoption of this plan should do much to improve administration and to develop that confidence in the City government which is so essential to the progress of the movement for complete unification. It would result directly in money savings amounting to approximately \$700,000 a year by reducing the number of city elections.

The Chicago Bureau of Public Efficiency strongly recommends this plan, and urges action upon it by the Legislature at its present session.

APPENDICES

APPENDIX A

AN ARGUMENT FOR COURT CONSOLIDATION

By Herbert Harley

Secretary, American Judicature Society.

There is no more reason for more than one court in Chicago than there would be for more than one city council, more than one school board, or more than one police department. If we had one fire department limited to the use of ladders and axes, another limited to the use of chemicals, and another provided with hose but no ladders, the situation would be practically that now existing in the judicial field. With such splitting up of the fire fighting forces the department using chemical engines could be summoned first because a chemical engine is all that is needed for most fires. When a fire got beyond the control of chemicals the department with hose could be summoned. In some cases this would result in extinguishing the fire. If ladders and axes were required, the department specializing in axes and ladders could finally be notified and asked to co-operate.

Chicago's judges are equipped with judicial power in just about this way. Some judges can deal with cases of a certain sort, and other judges with cases of another sort. There are many controversies which involve the use of different kinds of judicial power and these cases have to be split up and be dealt with piecemeal by different judges in different courts.

The court which handles over 100,000 criminal and quasi criminal cases every year cannot deal with cases which involve a little more severe penalty than others. A person who has been the victim of robbery, burglary, embezzlement or a serious assault must ordinarily appear with his witnesses before a Municipal Court judge for the preliminary examination in order to prove that the offense was committed and that there is probable cause for believing the respondent guilty. If successful he and his witnesses must appear later before the grand jury to repeat this procedure. If again successful they must all appear some time later to really prosecute the guilty person in the Criminal Court. It is no wonder that the City Council Crime Commission found that there were but ten per cent of convictions in such cases in a certain year. And in only three per cent of such cases was a greater penalty imposed by the Criminal Court than could have been imposed by the Municipal Court judge before whom the respondent was first arraigned.

The Domestic Relations branch court, although performing a most useful function, is able to do only half what it could do if it had

divorce jurisdiction. And there are numerous situations arising which call for proceedings in three or four of our separate courts in an effort to accomplish justice. This disjointed procedure not only puts the public to great expense but results necessarily in an inferior grade of justice.

There are about a quarter of a million of cases of all kinds heard every year by Chicago's seventy-one judges. This is a great volume of immensely important business. There is no great complaint that the quality of justice on the whole, especially if cases are carried through both trial and appellate courts, is unsatisfactory. The trouble is that it takes an unconscionable time and involves wholly needless costs, both to litigants and to taxpayers. The final decision is in accordance with law but the vast and important business of the courts is conducted in a most unbusinesslike and wasteful manner and it always will be so conducted until the judges are given a businesslike organization.

Adding to the number of judges of a large unorganized bench simply increases cost without promoting efficiency. Two judges added to four will increase capacity, but ten judges added to thirty, by the inexorable law of diminishing returns, may not result in any increase of product whatever. The system simply becomes more slack.

The lack of ordinary business organization is common to the courts of all large American cities. It is a relic of pioneer conditions. It is the most conspicuous defect from which the public and the judges alike now most suffer, but, fortunately, it is the defect most readily cured.

Chicago has gone further to discover the right remedy for this condition than any other city. The Municipal Court, established under an amendment to the Illinois Constitution, was the first court in the country to be given a businesslike organization. This was effected by:

- (1) Providing a business manager in the Chief Justice;
- (2) Giving him power to control calendars and segregate classes of causes in specialized branch courts;
- (3) Permitting him to choose specialist judges for these specialized branches;
- (4) Providing meetings of judges so there is opportunity for complaints to be investigated and for judges to share the responsibility for efficient management;
- (5) Providing for minute statistics and their publication;
- (6) Giving the court large powers for regulating its procedure through rules of court.

The Municipal Court has done wonderful work in creating specialized branches and adapting procedure to meet the needs of diversified judicial business. Its features have been copied with uniform success in a number of other cities. It has fallen short of maximum efficiency in criminal causes because it has not been permitted to deal with the more serious offenses, and generally because it is a court of limited jurisdiction, an inferior court, and first class judicial talent is rarely secured for inferior courts.

The situation is now bad enough to warrant heroic measures but

without the organization and resulting responsibility conferred by the Municipal Court act it would be intolerable. The relative success of the plan for business management, for administrative control and responsibility, points directly to ultimate success through the extension of this principle.

The one great advance most needed for Chicago Courts is to consolidate them all into a single court. The consolidated court should have a Chief Justice and six departments, as follows: (1) Equity, (2) Probate, Domestic Relations, and Juvenile, (3) Civil Jury, (4) Civil Non-jury, (5) Criminal, (6) Appellate.

All the judges of the consolidated court should have full trial jurisdiction so as to dispose of, in a single proceeding, any controversy submitted; but for purposes of salary classification the judges now possessing limited jurisdiction should become junior judges. This would permit of promotion by those most fit for advancement. There should be freedom for assignment, subject to rules, so that the square peg and the round hole can be disassociated.

Each of the six departments or divisions should have its Presiding Justice. The six Presiding Justices should constitute a Judicial Council, which should have power to govern the entire court and all its officers through rules and orders. The Chief Justice should be charged with executing the orders of the Judicial Council and generally with managing the business of the Court.

Under such simple organization each department would be represented in the Judicial Council through its Presiding Justice and the Council would have its representative in each department. There might be more than a score of specialized tribunals, each adapted to perform some special function, but all co-ordinated in a single wieldy and responsible machine.

With monthly meetings of the judges of divisions and publication of full statistics there would be a body of facts and a means for enforcing intelligent public opinion not now existing. No judge, or separate court, could "pass the buck" as now. The organization would also conserve the independence of every individual judge; no judge would need to fear for his personal safety in following the line of duty.

Next to lack of unity the greatest defect of the Chicago judiciary lies in the haphazard method of selecting judges. Chicago must not hope to get the best judicial talent while it persists in ignoring every fact of human nature in its method of selection. The good judges that it gets are got in spite of a vicious system. No improved form of ballot will enable three-fourths of a million voters to function intelligently in the selection of experts whose qualifications are known to less than one-tenth of one per cent of the voters. The trouble may be summarized as follows:

- (1) Many lawyers ideally qualified for judicial service absolutely refuse to become politicians in order to serve the public as judges.

(2) Those who enter the lists are subjected to great and wholly useless expense of time and money.

(3) Judges are frequently retired without reference to their fitness so the public loses the money invested in their experience.

(4) The uncertainty of tenure obliges every judge to devote a great deal of time and energy to the distracting and undignified work of politics.

(5) No opportunity is provided for retiring superannuated judges.

There are a number of ways of selecting judges, none so bad as popular elections, so called, in the large city. In certain states the appointment of judges by governors has afforded success. The objection to this method is that governors are partisans and in no wise responsible for the administration of justice. Nor are they acquainted at first hand with available material.

Obviously the best manner of selecting judges is by an official who is competent to pass upon the qualifications of candidates and who is responsible to the public for the due administration of justice. The head of an organized court is emphatically such an officer. Nobody can better judge the qualifications of lawyers; and nobody can have a more powerful motive for making wise selections because the Chief Justice must rely for his own success upon the quality of the judges in his court.

The most promising proposal for reform in selecting judges in large cities is that the administrative head of the organized court should be permitted to fill vacancies occurring during his term of office. He should himself be elected on a non-partisan ballot for a term of four years. If any check is placed upon his power of appointment it should be by limiting his selection to names on a public eligible list which should be kept filled by the Judicial Council.

Under unified business management the present force of judges in Chicago could soon clean up calendars in all divisions and branches so that there would be opportunity for prompt disposition of all matters, civil and criminal, for the first time in more than a generation. At the present time it is necessary to utilize a number of country judges, notwithstanding recent large additions to the number of judges, and still the civil calendars are in arrears from a few months to two years and the delay in criminal trials is the cause of considerable volume of existing crime.

The consolidation above proposed would increase the efficiency of judges from one-third to one-half and afford a sufficient number of judges in future years when the city shall have become much larger than now.

Consolidation and business management, with the exclusion of politics from the clerks' and bailiffs' departments, would permit of great saving; there would also be great saving in the economical employment of jurors. A great saving in time, money and judicial energy could be effected by radical reform in the methods of selecting judges.

The greatest saving would naturally be the indirect saving to all persons who apply to the courts and who are now obliged to waste a great deal of time in person and through their counsel.

The higher quality of justice obtainable, the reduction in appeals, and the prevention of crime by making it unprofitable, would be of greater consequence than any money saving, and would be a permanent civic asset enjoyed by all.

APPENDIX B

SKELETON PLAN OF ORGANIZATION FOR A UNIFIED GOVERNMENT FOR CHICAGO.

Elective Officials.

35 Aldermen (one from each of 35 wards)
Chief Justice of the Metropolitan Court

Offices and Departments.

Exclusive of the organization of the Metropolitan Court (shown on chart in Appendix E), the plan of organization suggested for the unified local government provides for a City Council to be made up of 35 elective Aldermen, and for the following nineteen offices and departments, the administrative heads of two of which will be selected by the City Council and the administrative heads of seventeen of which will be appointed by the Mayor who will be elected by the Council.

City Clerk—To be selected by the City Council.

Bureaus or divisions:

General Administration

City Council (City Clerk to act as clerk of the Council and its committees)

Miscellaneous Licenses

Marriage Licenses

Records and Files

City Comptroller—To be selected by the City Council.

Bureaus or divisions:

Accounting:

General

Special Assessment

Auditing and Disbursing (warrants)

Payroll Disbursements

Statistics

Advisory:

Real Estate and Compensation

Advisory Staff of Efficiency and other specialists.

Department of Taxation:

To be administered by three Commissioners to be appointed by the Mayor.

Bureaus or divisions:

Assessments and Revision

Tax Extension

Treasury Department:

The administrative head to be the City Treasurer to be appointed by the Mayor.

Bureaus or divisions:

Tax and Special Assessment Receipts

Miscellaneous Revenue Receipts

Accounting

Money

Department of Law:

The directing head to be the Corporation Counsel to be appointed by the Mayor; the work of the department to comprehend all the legal work of the unified government, including the functions and duties of the State's Attorney. The legal work now devolving upon the Coroner's office to be assumed by the law department. (The Coroner's office to be abolished)

Department of Purchases:

The administrative head to be the City Purchasing Agent to be appointed by the Mayor.

Bureaus or divisions:

Purchasing

Stores

Department of Police:

The administrative head to be the General Superintendent of Police to be appointed by the Mayor. The department to handle all police work within the City, including all such work now done by the Sheriff, Sanitary District Marshal and Park Police.

Fire Department:

The administrative head to be the Fire Marshal to be appointed by the Mayor. The department to continue the work of the present fire department.

Department of Public Utilities:

The administrative head to be the Commissioner of Public Utilities to be appointed by the Mayor. The department to exercise regulatory powers over privately owned utilities.

Bureaus or divisions:

Gas

Electricity

Local Transportation

Telephone

Railway Terminals and Track Elevation

Complaints

Department of Public Works:

The administrative head to be the Commissioner of Public Works to be appointed by the Mayor.

Bureaus or divisions:

Highways:

Local improvements by special assessment

Department of Public Works: (continued)

Maintenance and repairs (pavements, walks, sewers)

Street and alley cleaning

Waste removal

Sewer cleaning

Water:

Operation and maintenance of pumping stations, cribs, and tunnels.

Water Pipe Extension (construction and maintenance)

Meter Shops

Assessment and Collection of Water Rates.

Bridges and Viaducts:

Construction

Maintenance

Operation

Harbors:

Construction, Maintenance, Operation

Regulation and Supervision

Electricity:

Street Lighting (construction, maintenance and operation)

Generating Plants (maintenance and operation)

Signal Systems (Police and Fire)

Commercial (Sale of surplus electrical energy)

Sewage Disposal:

Sanitary District Canals (construction, maintenance and operation)

Illinois and Michigan Canal and Illinois River Conditions

Waste Disposal:

Reduction Plants

Incinerators

Dumps

Public Buildings:

City Hall (and County Building)

Criminal Court Building

Architecture and Designing:

Architecture

Mechanical Designing

Tests

Construction and Maintenance:

Construction

Maintenance (including all municipal shops)

Department of Inspection:

The administrative head to be Commissioner of Inspection to be appointed by the Mayor.

Bureaus or divisions:

Buildings
Steam Boilers
Smoke
Weights and Measures
Electrical
City Markets

Department of Education:

To be administered by a Board of Education consisting of seven members to be appointed by the Mayor and to serve without compensation.

The proposed plan contemplates that this department shall administer the affairs of the public schools and libraries but the Bureau has not attempted to set up the intra-departmental organization for such purpose. The present Library Board would be discontinued.

Department of Parks and Recreation:

To be administered by a Superintendent of Parks to be appointed by the Mayor.

Bureaus or divisions:

General Administration and Accounting
Engineering
General Maintenance
Horticultural
Recreation
Zoological

Department of Public Welfare:

The administrative head to be the Commissioner of Public Welfare to be appointed by the Mayor.

Bureaus or divisions:

Hospitals and Sanitariums:

General Hospitals (Including present County Hospital)
Municipal Tuberculosis Sanitarium
Oak Forest Institutions

Penal and Correctional Institutions:

Jail
House of Correction
Farm Colony
House of Shelter for Women
School for Boys
Home for Delinquent and Dependent Children

Social Service:

Employment
Municipal Lodging House
Public Relief

Department of Public Welfare: (continued)

Social Surveys
Municipal Dance Halls
Public Baths
City Farming

Department of Health:

The administrative head to be the Commissioner of Health to be appointed by the Mayor.

Bureaus or divisions:

*General Administration
*Vital Statistics
*Food Inspection
*Contagious Disease Hospitals
*Sanitary Inspection
*Medical Inspection
*Laboratory

Department of Elections:

To be administered by three Commissioners to be appointed by the Mayor.

Department of Recording and Registry:

The administrative head to be the Recorder of Deeds and Registrar of Titles to be appointed by the Mayor.

Bureaus or divisions:

Recording
Abstract
Registrar (Torrens)
Maps and Plats

Civil Service Commission:

To consist of three Commissioners to be appointed by the Mayor, to administer all civil service laws applicable to employes of the consolidated municipality.

Examining Boards:

Plumbers
Masons
Engineers

*Present departmental organization.

TABULAR STATEMENT SHOWING DISTRIBUTION, UNDER
PROPOSED PLAN OF UNIFICATION, OF THE FUNCTIONS
OF THE OFFICES AND DEPARTMENTS OF THE
PRESENT LOCAL GOVERNMENTS IN
CHICAGO.*

Present Elective City Officials.

<i>Present</i>	<i>Duties Transferred to</i>
Mayor as Presiding Officer	President of City Council
Mayor as Executive Head	Mayor
City Council	City Council
City Clerk	City Clerk
City Treasurer	City Treasurer
Chief Justice of Municipal Court	Chief Justice of Metropolitan Court
Associate Justices of Municipal Court	Associate Judges of Metropolitan Court
Clerk—Municipal Court	Clerk of Metropolitan Court
Balliff—Municipal Court	Balliff of Metropolitan Court

Other City Officials and Departments.

Corporation Counsel and Staff	Department of Law
Prosecuting Attorney and Staff	Department of Law
City Attorney and Staff	Department of Law
Comptroller	Comptroller
City Collector	
License Division (applications)	City Clerk
Collection Division (Special Assessments)	Treasury Department
Collection Division (Miscellaneous Revenue)	Treasury Department
Board of Election Commissioners	Department of Elections
Civil Service Commission	Civil Service Commission
Efficiency Staff—Finance Committee	Comptroller
Department of Supplies	Department of Purchases
Department of Police	Department of Police
House of Correction	Department of Public Welfare
Fire Department	Fire Department
Department of Buildings	Department of Inspection
Dept. of Health (except Divisions of Waste Disposal, Municipal Lodging House and Public Baths)	Department of Health
Department of Health	
Division of Waste Disposal	
(Reduction Plants and Incinerators)	Department of Public Works— Bureau of Waste Disposal

*Departmental organization as of 1915.

<i>Present</i>	<i>Duties Transferred to</i>
Department of Health (continued)	
Division of Municipal Lodging House	Department of Public Welfare
Division of Public Baths	Department of Public Welfare
City Physician	Department of Health
Dept. for the Inspection of Steam Boilers, etc.	Department of Inspection
Dept. of Weights and Measures	Department of Inspection
Department of Smoke Inspection	Department of Inspection
Examining Boards	Examining Boards
Inspector of Oils	Department of Public Works—Bureau of Tests
Department of Public Welfare	Department of Public Welfare
Board of Local Improvements	Department of Public Works—Bureau of Highways
City Markets	Department of Inspection
Special Park Commission	Department of Parks & Recreation
Dept. of Gas & Electricity (except Bureaus of Electrical Inspection and Electrical Wiring)	Department of Public Works—Bureau of Electricity
Bureau of Electrical Inspection	Department of Inspection
Bureau of Electrical Wiring	Department of Public Works—Bureau of Construction & Maintenance
Department of Public Service	Department of Public Utilities
Department of Public Works	
Bureau of Engineering	
Div. of Stations and Cribbs	Department of Public Works—Bureau of Water
Div. of Water Pipe Extension	Department of Public Works—Bureau of Water
Div. of Water Meter Shops	Department of Public Works—Bureau of Water
Designing Division	Department of Public Works—Bureau of Architecture and Designing
Testing Division	Department of Public Works—Bureau of Tests
Construction Division	Department of Public Works—Bureau of Construction and Maintenance
Div. of Water Works Shops	Department of Public Works—Bureau of Construction and Maintenance
Div. of Pipe Yards & Stores	Department of Purchases
Div. of Bridges & Harbors (except Harbor Section)	Department of Public Works—Bureau of Bridges & Viaducts
Harbor Section	Department of Public Works—Bureau of Harbors
Bureau of Streets	Department of Public Works—Bureau of Highways

Present

Duties Transferred to

Department of Public Works (continued)

Bureau of Sewers (except division of House Drain Inspection)	Department of Public Works—Bureau of Highways
Div. of House Drain Inspection	Department of Health — Bureau of Sanitary Inspection
Bureau of Water	Department of Public Works—Bureau of Water
Bureau of Compensation	Comptroller
Bureau of City Hall	Department of Public Works—Bureau of Public Buildings
Bureau of Architecture	Department of Public Works—Bureau of Architecture and Designing
Bureau of Maps & Plats	Department of Recording and Registry
Harbor and Subway Commission	Department of Public Works—Bureau of Harbors
Bureau of Statistics	Abolished
Municipal Reference Library	Department of Education

Local Governments with Trustees Now Appointed by the Mayor.

Board of Education	Dept. of Education (Board of 7 members appointed by the Mayor)
Library Board	Department of Education
Municipal Tuberculosis Sanitarium	Department of Public Welfare

Elective County Officials.

County Commissioners—Legislative Functions	City Council
County Commissioners—Administrative Functions	Sundry Departments
Sheriff	
As Conservator of the Peace	Department of Police
As Executive Officer of the Courts	Balliff of Metropolitan Court
As Custodian of County Building	Department of Public Works—Bureau of Public Buildings
As Custodian of Criminal Court Building	Department of Public Works—Bureau of Public Buildings
As County Jailer	Department of Public Welfare
Board of Assessors	Department of Taxation
Board of Review	Department of Taxation
County Clerk	
Clerk of County Board	City Clerk
General Administration Division	City Clerk
Marriage License Division	City Clerk
Division of Vital Statistics	Department of Health

<i>Present</i>	<i>Duties Transferred to</i>
County Clerk (continued)	
Tax Sale Redemption Division	Treasury Department
Election Division	Department of Elections
Map Division	Department of Taxation
Tax Extension Division	Department of Taxation
As ex-officio Comptroller	Comptroller
County Treasurer	
As County Treasurer	Treasury Department
As ex-officio Town and County Collector	Treasury Department
Recorder	Dept. of Recording & Registry
Coroner	
Legal Investigations	Department of Law
Medical Investigations	Department of Health— Bureau of Medical Inspection
County Superintendent of Schools	Department of Education
Surveyor	Abolished
State's Attorney	Department of Law
Clerk, Superior Court	} Clerk of Metropolitan Court
Clerk, Circuit Court	
Clerk, Criminal Court	
Clerk, Probate Court	
Clerk, County Court	
Superior Court Judges	} Associate Judges of Metropolitan Court
Circuit Court Judges	
Probate Court Judge	
County Judge	

Other County Officials and Institutions.

Superintendent of Public Service	Department of Purchases
Superintendent of Public Service	Department of Public Works—
Bureau of Mechanics	Bureau of Construction & Maintenance
County Civil Service Commission	Civil Service Commission
Jury Commissioners	Metropolitan Court— Jury Commissioners
Oak Forest Institutions	Department of Public Welfare
County Hospital	Department of Public Welfare
County Agent	Department of Public Welfare
Home for Delinquent and Dependent Children	Department of Public Welfare
Adult Probation Officers	} Metropolitan Court— Probation Officers
Juvenile Court Probation Officers	
Bureau of Social Service	Department of Public Welfare
County Superintendent of Highways	Department of Public Works— Bureau of Highways

Forest Preserve District of Cook County.

<i>Present</i>	<i>Duties Transferred to</i>
Commissioners (County Commissioners now act as Forest Preserve District Commissioners)	
Legislative Functions	City Council
Administrative Functions	Dept. of Parks and Recreation

Sanitary District of Chicago

Officials and Departments.

Trustees—Legislative Functions	City Council
Trustees—Administrative Functions	Sundry City Departments
Secretaries to Trustees	Abolished
Consulting Engineer	Department of Public Works— Bureau of Sewage Disposal
Law Department	Department of Law
Clerk of District	
Clerk of the Board	City Clerk
General Administration	Comptroller
Collector of Revenue	Treasury Department
Treasurer	Treasury Department
Engineering Department	
Construction, Maintenance & Operation of Canals, Locks, and Dams	Department of Public Works— Bureau of Sewage Disposal
Dept. of Illinois & Michigan Canal & Illinois River Conditions	Department of Public Works— Bureau of Sewage Disposal
Purchasing Department	Department of Purchases
Department of Electricity	
Operation and Maintenance Division	Department of Public Works— Bureau of Electricity
Construction Division	Department of Public Works— Bureau of Electricity
Accounting & Auditing Division	Comptroller
Collection Division	Treasury Department
Commercial Division	Department of Public Works— Bureau of Electricity
Real Estate Department	Comptroller
Police Department	Department of Police

Officials and Departments of the Park Governments.

<i>South Park Commissioners</i>	
Legislative Functions	City Council
Administrative Functions	Dept. of Parks and Recreation
Auditor	Abolished
Secretary	Abolished
General Superintendent	Dept. of Parks and Recreation

<i>Present</i>	<i>Duties Transferred to</i>
<i>South Park Commissioners</i>	(continued)
Law Department	Department of Law
Accounting Division	
General Accounting	Comptroller
Departmental Accounting	Dept. of Parks and Recreation
Special Assessment Collection	Treasury Department
Purchasing Division	Department of Purchases
Treasurer	Treasury Department
Engineering & Construction Division	Dept. of Parks and Recreation
Mechanical & Electrical Division	Dept. of Parks and Recreation
Maintenance & Repair Division	Dept. of Parks and Recreation
Playgrounds & Sports Division	Dept. of Parks and Recreation
Landscape Division	Dept. of Parks and Recreation
Police Division	Department of Police
Civil Service Commission	Civil Service Commission
<i>West Chicago Park Commissioners</i>	
Legislative Functions	City Council
Administrative Functions	Dept. of Parks and Recreation
Secretary	Abolished
Superintendent & Chief Engineer	Dept. of Parks and Recreation
Law Department	Department of Law
Administration Department	
General Accounting	Comptroller
Departmental Accounting	Dept. of Parks and Recreation
Special Assessment Collection	Treasury Department
Purchasing and Stores	Department of Purchases
Treasurer	Treasury Department
Engineering Department	Dept. of Parks and Recreation
Landscape Architect	Dept. of Parks and Recreation
Maintenance Department	Dept. of Parks and Recreation
Playgrounds Department	Dept. of Parks and Recreation
Police Department	Department of Police
Civil Service Commission	Civil Service Commission
<i>Lincoln Park Commissioners</i>	
Legislative Functions	City Council
Administrative Functions	Dept. of Parks and Recreation
Secretary	Abolished
Superintendent	Dept. of Parks and Recreation
Attorney	Department of Law
Administration Department	
General Accounting	Comptroller
Departmental Accounting	Dept. of Parks and Recreation
Stores Department	Department of Purchases
Treasurer	Treasury Department

<i>Present</i>	<i>Duties Transferred to</i>
<i>Lincoln Park Commissioners</i> (continued)	
Mechanical & Repair Department	} Dept. of Parks and Recreation
Electrical Department	
Engineering Department	
Park Extension Department	
Lemont Black Soil Farm	
Maintenance of Parks & Boulevards	
Heating Department	
Floral Department	
Zoological Department	
Fieldhouses and Playgrounds	
Stables Department	
Nursery Farm	
Bathing Beaches	
Police Department	Department of Police
Laundry Department	Department of Public Welfare
Civil Service Commission	Civil Service Commission
<i>Small Park Districts</i>	
(11 districts within present City limits;	
2 districts partly within and partly without present City limits).	
65 Elective Park Commissioners	
Legislative Functions	City Council
Administrative Functions	Dept. of Parks and Recreation
Attorneys	Department of Law
Treasurers	Treasury Department
Secretaries	
Maintenance Divisions	} Dept. of Parks and Recreation
(Parks, Boulevards & Playgrounds)	

Eight Townships Now Within City Limits.

(To be abolished.)

Evanston	Lake View
Hyde Park	North Chicago
Jefferson	South Chicago
Lake	West Chicago

**LIST OF LOCAL GOVERNMENTS OUTSIDE THE PRESENT
LIMITS OF CHICAGO, BUT WITHIN THE PROPOSED CITY
LIMITS, WHICH WOULD BE ABOLISHED BY CON-
SOLIDATION AND THE FUNCTIONS OF
WHICH WOULD BE TAKEN OVER BY
THE UNIFIED MUNICIPALITY.**

Eight Townships Outside or Partly Outside Present City Limits.

Berwyn	New Trier	Riverside
Calumet	Niles	Stickney
City of Evanston	Oak Park	

**Nine Townships Partly Within and Partly Without Proposed City
Limits.**

(To be abolished as to those portions within proposed City limits.)

Bremen	Maine	Proviso
Leyden	Northfield	Thornton
Lyons	Norwood Park	Worth

Five Cities.

Berwyn	Harvey
Blue Island	West Hammond
Evanston	

**Thirty-five Villages Outside Present City Limits But Within Proposed
Limits.**

Bellwood	Gross Point	Riverdale
Broadview	Kenilworth	River Forest
Brookfield	Lyons	River Grove
Burnham	Maywood	Riverside
Burr Oak	Melrose Park	Shermerville
Cicero	Morton Grove	South Holland
Dolton	Mount Greenwood	Stickney
Evergreen Park	Niles	Summit
Forest Park	Niles Center	Tessville
Franklin Park	Oak Park	Wilmette
Glencoe	Phoenix	Winnetka
Glenview	Posen	

Ten Park Districts.

Blue Island	Oak Park
Clyde	Riverdale
Glencoe	River Forest
Kenilworth	Wilmette
Northwest Park District of Evanston	Winnetka

Fifty School Districts.

Eleven School Districts Partly Within and Partly Without Proposed Limits.

(To be abolished as to those portions within the proposed limits.)

APPENDIX C

CALENDAR OF ELECTION EVENTS IN CHICAGO FOR A PERIOD
OF YEARS.

- 1916 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Presidential Primaries in April.
Judicial Election in June.
Registration, Canvass, and Revision in August.
General Primaries in September.
Two Registration Days, Canvass, and Revision in October.
General Election in November.
- 1917 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Judicial Election in November.*
- 1918 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Registration, Canvass, and Revision in August.
General Primaries in September.
Two Registration Days, Canvass, and Revision in October.
General Election in November.
- 1919 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
- 1920 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Presidential Primaries in April.
Registration, Canvass, and Revision in August.
General Primaries in September.
Two Registration Days, Canvass, and Revision in October.
General Election in November.
- 1921 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Judicial Election in June.

- 1922 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Judicial Election in June.
Registration, Canvass, and Revision in August.
General Primaries in September.
Two Registration Days, Canvass, and Revision in October.
General Election in November.
- 1923 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Judicial Election in November.*
- 1924 Registration, Canvass, and Revision in February.
City Primaries in February.
Registration, Canvass, and Revision in March.
City Election in April.
Presidential Primaries in April.
Judicial Election (Supreme Court Judge) in June.
Registration, Canvass, and Revision in August.
General Primaries in September.
Two Registration Days, Canvass, and Revision in October.
General Election in November.

*It was the intention of the Legislature in passing the Primary Election Law to provide direct primaries for all judicial elections. The Illinois Supreme Court has held, however, that the provisions of the Primary Law, so far as they apply to judicial elections to be held in June, are conflicting and therefore inoperative. The opinion of the court has raised some doubt as to whether the Primary Law is operative as to judicial elections to be held in November. In case a primary should be held for the November judicial election, it would be preceded by the usual registration, canvass, and revision.

COST OF ELECTIONS IN COOK COUNTY, CHICAGO, AND CICERO FOR THE YEAR 1916.

The total election expenditures for the year 1916 of Cook County, Chicago, and Cicero were \$2,106,047. Of this amount, \$75,657 was spent by Cook County for the portion of the County outside the jurisdiction of the Board of Election Commissioners. The commission has jurisdiction over Chicago and Cicero. The portion of the expense chargeable to Cicero was approximately \$7,500.

A table prepared in the office of the Board of Election Commissioners apportions \$1,840,989 of expense chargeable to Cook County, Chicago, and Cicero for the territory within the jurisdiction of the Board (Chicago and Cicero) among different primaries and elections of the year for the purpose of showing the cost of each. Following is the table.

COST OF ELECTIONS IN THE CITY OF CHICAGO AND TOWN OF CICERO FOR THE YEAR 1916.

City Primary—Feb. 29, 1916.

(Including Registration, Canvass and Revision).

Election Officers (Judges & Clerks).....	\$208,145.00
Other Clerical Hire.....	25,000.00
Rental of Polling Places.....	33,030.00
Rental of Furniture, etc.....	200.00
Printing (Ballots, Blanks, etc.).....	60,000.00
Legal Advertising (including Posting).....	3,500.00
Cartage	5,500.00
Postage	3,500.00
Special Police Service.....	1,500.00
Miscellaneous	2,000.00
Estimate of Office Expense.....	4,000.00

\$346,375.00

City Election—April 4, 1916.

(Including Registration, Canvass and Revision).

Election Officers (Judges & Clerks).....	\$208,145.00
Other Clerical Hire.....	25,000.00
Rental of Polling Places	33,030.00
Rental of Furniture	200.00
Printing (Ballots, Blanks, etc.).....	65,000.00
Legal Advertising (including Posting).....	3,500.00
Cartage	5,500.00
Postage	1,500.00
Special Police Service.....	1,500.00
Miscellaneous	1,000.00
Estimate of Office Expense.....	4,000.00

\$348,375.00

Presidential Primary—April 11, 1916.

Election Officers (Judges and Clerks).....	\$ 76,685.00
Other Clerical Hire	20,000.00
Rental of Polling Places.....	15,316.00
Rental of Furniture	200.00
Printing (Ballots, Blanks, etc.).....	60,000.00
Legal Advertising (including Posting).....	3,500.00
Cartage	3,000.00
Postage	1,000.00
Special Police Service	1,500.00
Miscellaneous	1,000.00
Estimate of Office Expense.....	2,000.00

\$184,201.00

Judicial Election—June 5, 1916.

Election Officers (Judges and Clerks).....	\$ 76,685.00
Other Clerical Hire	15,000.00
Rental of Polling Places	15,316.00
Rental of Furniture.....	200.00
Printing (Ballots, Blanks, etc.).....	55,000.00
Legal Advertising (including Posting).....	3,000.00
Cartage	5,500.00
Postage	1,000.00
Special Police Service	1,500.00
Miscellaneous	1,000.00
Estimate of Office Expense.....	1,000.00

\$175,201.00

General Primary—Sept. 13, 1916.

(Including Registration, Canvass and Revision.)

Election Officers (Judges and Clerks).....	\$208,145.00
Other Clerical Hire.....	25,000.00
Rental of Polling Places.....	33,069.00
Rental of Furniture.....	200.00
Printing (Ballots, Blanks, etc.).....	70,000.00
Legal Advertising (including Posting).....	4,000.00
Cartage	5,500.00
Postage	2,000.00
Special Police Service.....	1,500.00
Miscellaneous	2,000.00
Estimate of Office Expense.....	4,000.00

\$355,414.00

General Election—Nov. 7, 1916.

(Including Two Registration Days, Canvass and Revision.)

Election Officers (Judges and Clerks).....	\$262,920.00
Other Clerical Hire.....	25,000.00
Rental of Polling Places.....	43,853.00
Rental of Furniture, etc.....	200.00
Printing (Ballots, Blanks, etc.).....	80,000.00
Legal Advertising (including Posting).....	4,000.00
Cartage	5,500.00
Postage	1,200.00

Special Police Service.....	1,750.00	
Miscellaneous	2,000.00	
Estimate of Office Expense.....	5,000.00	
		<hr/>
		\$431,423.00
		<hr/>
		\$1,840,989.00
Add unapportioned expense (Salaries of Election Commissioners and various miscellaneous items)		189,401.00
		<hr/>
Total cost, Chicago and Cicero.....		\$2,030,390.00
Add also amount spent by Cook County for portion of County outside the jurisdiction of the Election Commissioners.....		75,657.00
		<hr/>
Grand Total Cost, Cook County, Chicago and Cicero		\$2,106,047.00

APPENDIX D

Tables of Expenditures for the fiscal year 1915.

1. Summary of all local governments in Chicago.
2. Summary of all local governments within the proposed City limits.
3. City of Chicago.
4. Cook County.
5. Sanitary District of Chicago.
6. South Park Commissioners.
7. West Chicago Park Commissioners.
8. Lincoln Park Commissioners.
9. Small park districts in Chicago.
10. Cities within the proposed City limits.
11. Park districts now outside Chicago but within the proposed City limits.
12. Villages within the proposed City limits.
13. Townships now outside Chicago but within the proposed City limits.
14. School districts within the proposed City limits.

	West Park Commissioners	Lincoln Park Commissioners	Small Park Districts (e)	Total of all Local Governments
Avg.	808	540	161	39,105
Salary	\$704,778.60	\$461,423.09	\$54,803.23	\$39,940,855.67
Other	268,440.82	203,238.03	249,439.05	29,881,094.42
Inter	169,099.63	49,103.05	35,373.75	3,192,043.57
Misce	217,033.53	31,948.60	.....	10,067,249.94
Total	\$1,359,352.58	\$745,712.77	\$339,616.03	\$83,081,243.60
Bond				
	380,300.00	318,030.61	5,000.00	11,821,050.16
Total den	\$1,739,652.58	\$1,063,743.38	\$344,616.03	\$94,902,293.76
Bond yea	\$4,391,000.00	\$1,887,000.00	\$953,000.00	\$67,206,000.00

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TABLE 1.
SUMMARY
Of Expenditures for the Year 1915 of All Local Governments in Chicago.

	City of Chicago	Board of Education	Public Library	Municipal Tuberculosis Sanitarium	Cook County	Sanitary District	South Park Commissioners	West Park Commissioners	Lincoln Park Commissioners	Small Park Districts (e)	Total of all Local Governments
Avg. No. of Employees including officials.	20,402	10,759	452	324	3,299	1,077	1,283	808	540	161	39,105
Salaries	\$19,396,435.69	\$12,333,420.62	\$206,918.10	\$245,361.93	\$4,309,225.27	\$1,288,420.85	\$940,068.29	\$704,778.60	\$461,423.09	\$54,803.23	\$39,940,855.67
Other Departmental Expenditures.	17,164,098.16	4,484,921.44	190,782.76	514,862.66	1,733,892.03	1,319,089.06	938,134.91	268,440.82	203,238.03	249,439.05	29,881,094.42
Interest	1,737,905.38				438,931.76	(d) 2,814,195.50	207,300.00	169,099.63	49,103.05	35,373.75	3,192,043.57
Miscellaneous	1,013,192.19				1,348,844.84	282,431.67	175,552.73	217,033.53	31,948.60		10,067,249.94
	(a) 6,998,246.38										
Total Exclusive of Bonds Redeemed. ...	\$46,309,877.80	\$16,818,342.06	\$397,700.86	\$760,224.59	\$7,830,893.90	\$6,258,467.08	\$2,261,055.93	\$1,359,352.58	\$745,712.77	\$339,616.03	\$83,081,243.60
	2,921,542.61										
Bonds Redeemed.	(b) 5,324,891.88										
	(c) 125,585.06										
	\$8,372,019.55				797,000.00	1,356,000.00	592,700.00	380,300.00	318,030.61	5,000.00	11,821,050.16
Total Expenditures including Bond Re- demptions	\$54,681,897.35	\$16,818,342.06	\$397,700.86	\$760,224.59	\$8,627,893.90	\$7,614,467.08	\$2,853,755.93	\$1,739,652.58	\$1,063,743.38	\$344,616.03	\$94,902,293.76
Bonded Indebtedness at close of fiscal year	\$31,924,600.00				\$9,887,500.00	\$12,992,000.00	\$5,170,900.00	\$4,391,000.00	\$1,887,000.00	\$953,000.00	\$67,206,000.00

- (a) Amount of Special Assessment Vouchers issued.
This is not an expenditure of money but a liability incurred.
- (b) Special Assessment Vouchers and Bonds Redeemed.
- (c) Water Pipe Extension Certificates Redeemed.
- (d) Construction Contracts.
- (e) Figures shown cover ten districts only. See Table 9 as to other three districts.

TABLE 2.

SUMMARY

Of Expenditures for the Fiscal Year 1915 of All Local Governments within the Proposed City Limits.*

	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Local Governments within present City Limits.	\$83,081,243.60	\$11,821,050.16	\$94,902,293.76	\$67,206,000.00
Cities.	687,980.02	67,871.24	755,851.26	500,914.97
Villages.	1,069,212.14	232,632.16	1,301,844.30	1,400,633.00
Townships outside present City Limits.	41,634.02	.....	41,634.02	1,400.00
Small Park Districts out- side present City Limits	85,507.13	13,047.98	98,555.11	288,075.00
School Districts.	2,231,984.29	140,403.87	2,372,388.16	2,702,700.00
Total.	\$87,197,561.20	\$12,275,005.41	\$99,472,566.61	\$72,099,722.97

* The figures shown are not complete in all instances. The missing figures, however, constitute but a small part of the total. See detail tables 9, 10, 11, 12, 13.

The Forest Preserve District of Cook County, recently organized, did not begin making expenditures until 1916.

TABLE I

Summary of the results of the experiments on the effect of the concentration of the solution on the rate of the reaction.

Conc. of solution	Rate of reaction	Conc. of solution	Rate of reaction
0.1M	0.001	0.2M	0.002
0.2M	0.002	0.3M	0.003
0.3M	0.003	0.4M	0.004
0.4M	0.004	0.5M	0.005
0.5M	0.005	0.6M	0.006
0.6M	0.006	0.7M	0.007
0.7M	0.007	0.8M	0.008
0.8M	0.008	0.9M	0.009
0.9M	0.009	1.0M	0.010
1.0M	0.010	1.1M	0.011
1.1M	0.011	1.2M	0.012
1.2M	0.012	1.3M	0.013
1.3M	0.013	1.4M	0.014
1.4M	0.014	1.5M	0.015
1.5M	0.015	1.6M	0.016
1.6M	0.016	1.7M	0.017
1.7M	0.017	1.8M	0.018
1.8M	0.018	1.9M	0.019
1.9M	0.019	2.0M	0.020
2.0M	0.020	2.1M	0.021
2.1M	0.021	2.2M	0.022
2.2M	0.022	2.3M	0.023
2.3M	0.023	2.4M	0.024
2.4M	0.024	2.5M	0.025
2.5M	0.025	2.6M	0.026
2.6M	0.026	2.7M	0.027
2.7M	0.027	2.8M	0.028
2.8M	0.028	2.9M	0.029
2.9M	0.029	3.0M	0.030
3.0M	0.030	3.1M	0.031
3.1M	0.031	3.2M	0.032
3.2M	0.032	3.3M	0.033
3.3M	0.033	3.4M	0.034
3.4M	0.034	3.5M	0.035
3.5M	0.035	3.6M	0.036
3.6M	0.036	3.7M	0.037
3.7M	0.037	3.8M	0.038
3.8M	0.038	3.9M	0.039
3.9M	0.039	4.0M	0.040
4.0M	0.040	4.1M	0.041
4.1M	0.041	4.2M	0.042
4.2M	0.042	4.3M	0.043
4.3M	0.043	4.4M	0.044
4.4M	0.044	4.5M	0.045
4.5M	0.045	4.6M	0.046
4.6M	0.046	4.7M	0.047
4.7M	0.047	4.8M	0.048
4.8M	0.048	4.9M	0.049
4.9M	0.049	5.0M	0.050
5.0M	0.050	5.1M	0.051
5.1M	0.051	5.2M	0.052
5.2M	0.052	5.3M	0.053
5.3M	0.053	5.4M	0.054
5.4M	0.054	5.5M	0.055
5.5M	0.055	5.6M	0.056
5.6M	0.056	5.7M	0.057
5.7M	0.057	5.8M	0.058
5.8M	0.058	5.9M	0.059
5.9M	0.059	6.0M	0.060
6.0M	0.060	6.1M	0.061
6.1M	0.061	6.2M	0.062
6.2M	0.062	6.3M	0.063
6.3M	0.063	6.4M	0.064
6.4M	0.064	6.5M	0.065
6.5M	0.065	6.6M	0.066
6.6M	0.066	6.7M	0.067
6.7M	0.067	6.8M	0.068
6.8M	0.068	6.9M	0.069
6.9M	0.069	7.0M	0.070
7.0M	0.070	7.1M	0.071
7.1M	0.071	7.2M	0.072
7.2M	0.072	7.3M	0.073
7.3M	0.073	7.4M	0.074
7.4M	0.074	7.5M	0.075
7.5M	0.075	7.6M	0.076
7.6M	0.076	7.7M	0.077
7.7M	0.077	7.8M	0.078
7.8M	0.078	7.9M	0.079
7.9M	0.079	8.0M	0.080
8.0M	0.080	8.1M	0.081
8.1M	0.081	8.2M	0.082
8.2M	0.082	8.3M	0.083
8.3M	0.083	8.4M	0.084
8.4M	0.084	8.5M	0.085
8.5M	0.085	8.6M	0.086
8.6M	0.086	8.7M	0.087
8.7M	0.087	8.8M	0.088
8.8M	0.088	8.9M	0.089
8.9M	0.089	9.0M	0.090
9.0M	0.090	9.1M	0.091
9.1M	0.091	9.2M	0.092
9.2M	0.092	9.3M	0.093
9.3M	0.093	9.4M	0.094
9.4M	0.094	9.5M	0.095
9.5M	0.095	9.6M	0.096
9.6M	0.096	9.7M	0.097
9.7M	0.097	9.8M	0.098
9.8M	0.098	9.9M	0.099
9.9M	0.099	10.0M	0.100

The results of the experiments show that the rate of the reaction increases with the concentration of the solution. The rate of the reaction is directly proportional to the concentration of the solution. The rate of the reaction is 0.001 at 0.1M concentration and 0.100 at 10.0M concentration. The rate of the reaction is 0.010 at 1.0M concentration and 0.090 at 9.0M concentration. The rate of the reaction is 0.020 at 2.0M concentration and 0.080 at 8.0M concentration. The rate of the reaction is 0.030 at 3.0M concentration and 0.070 at 7.0M concentration. The rate of the reaction is 0.040 at 4.0M concentration and 0.060 at 6.0M concentration. The rate of the reaction is 0.050 at 5.0M concentration and 0.050 at 5.0M concentration. The rate of the reaction is 0.060 at 6.0M concentration and 0.040 at 4.0M concentration. The rate of the reaction is 0.070 at 7.0M concentration and 0.030 at 3.0M concentration. The rate of the reaction is 0.080 at 8.0M concentration and 0.020 at 2.0M concentration. The rate of the reaction is 0.090 at 9.0M concentration and 0.010 at 1.0M concentration. The rate of the reaction is 0.100 at 10.0M concentration and 0.001 at 0.1M concentration.

TABLE 2.

SUMMARY

Of Expenditures for the Fiscal Year 1915 of All Local Governments within the Proposed City Limits.*

	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Local Governments within present City Limits.	\$83,081,243.60	\$11,821,050.16	\$94,902,293.76	\$67,206,000.00
Cities.	687,980.02	67,871.24	755,851.26	500,914.97
Villages.	1,069,212.14	232,632.16	1,301,844.30	1,400,633.00
Townships outside present City Limits.	41,634.02	.....	41,634.02	1,400.00
Small Park Districts out- side present City Limits	85,507.13	13,047.98	98,555.11	288,075.00
School Districts.	2,231,984.29	140,403.87	2,372,388.16	2,702,700.00
Total.	\$87,197,561.20	\$12,275,005.41	\$99,472,566.61	\$72,099,722.97

* The figures shown are not complete in all instances. The missing figures, however, constitute but a small part of the total. See detail tables 9, 10, 11, 12, 13.

The Forest Preserve District of Cook County, recently organized, did not begin making expenditures until 1916.

TABLE 3.
CITY OF CHICAGO.
Expenditures for the Year 1915.

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures	Total Expenditures
City Council.	69	\$208,881.62		\$208,881.62
Council Committees.	6	9,527.12	\$59,574.44	69,101.56
Miscellaneous Commissions.	3	(a) 1,099.46		
		(a) 994.99	33,923.28	34,918.27
Mayor's Office.	5	2,246.49		
Bureau of Statistics.	1	27,399.58	1,776.26	29,175.84
Municipal Reference Library	4	1,999.93		1,999.93
City Clerk.	22	4,319.37	913.08	5,232.45
Corporation Counsel.	76	42,058.39	23,596.93	65,655.32
Prosecuting Attorney.	24	184,699.44	48,169.80	232,869.24
City Attorney.	78	53,563.23	1,130.18	54,693.41
Comptroller.	125	114,607.11	19,143.17	133,750.28
Treasurer.	27	179,192.03	27,176.74	206,368.77
City Collector.	74	56,587.29	5,019.45	61,606.74
Election Commissioners.	204	99,701.78	9,529.07	109,230.85
Civil Service Commission.	74	225,355.37	490,012.45	715,367.82
		(b) 88,163.63		
Dept. of Supplies.	17	5,987.41	6,597.38	94,761.01
Police Dept.	5,279	28,475.59	1,861.84	30,337.43
Municipal Court.	383	6,922,926.14	385,732.60	7,308,658.74
		704,357.02	149,288.91	853,645.93
		127,852.02	263,243.06	391,095.08
House of Correction.	114	(a) 160.91		
		(b) 2,461.37		
Fire Dept.	2,032	3,025,362.66	633,277.84	3,658,640.50
Dept. of Buildings.	97	174,063.38	6,024.45	180,087.83
Dept. of Health.	964	(a) 1,028,110.46	813,455.16	1,841,565.62
		(a) 55,243.37		
City Physician.	3	7,919.95	530.10	8,450.05
Dept. of Steam Boilers In- spection.	32	42,217.75	5,295.30	47,513.05
Dept. of Weights and Meas- ures.	24	34,432.90	4,149.50	38,582.40
Dept. of Smoke Inspection	25	36,121.43	1,067.96	37,189.39
Examining Boards (Plum- bers, etc.).	14	24,893.33	1,385.77	26,279.10
Inspector of Oils.	8	15,509.97	534.23	16,044.20
City Markets.	2	(a) 1,890.00	23,204.56	25,094.56
		(a) 19.43		
Dept. of Public Welfare.	29	36,495.10	9,532.67	46,027.77
Board of Local Improve- ments.	322	482,511.68	452,764.54	935,276.22
Special Park Commission	195	(a) 129,806.23	325,630.31	455,436.54
		(a) 8,480.21		

TABLE 3—Continued

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures	Total Expenditures
Dept. of Electricity.	556	{ 615,459.46 (a) 37,279.53 (b) 54,500.27	1,570,994.74	2,186,454.20
Dept. of Public Service.	80	104,180.98	5,716.57	109,897.55
Dept. of Public Works.	9,408	{ 4,527,721.47 (a) 1,228,030.51 (b) 1,729,737.86	9,856,632.61	14,384,354.08
Harbor and Subway Com- mission.	26	{ 29,077.29 (a) 16,460.72	1,927,213.21	1,956,290.50
Less (a) \$1,349,020.63} . . .		\$22,538,143.23		
Less (b) 1,792,686.91} . . .		3,141,707.54		
Total Departmental Ex- penditures.	20,402	\$19,396,435.69	\$17,164,098.16	\$36,560,533.85
Miscellaneous, other than departmental.				332,651.08
Interest.				1,737,905.38
Special Assessments (Vouchers Issued).				6,998,246.38
Contributions to Pension Funds.				680,541.11
Total Exclusive of Bonds Redeemed.				\$46,309,877.80
Bonds Redeemed.				2,921,542.61
Special Assessment Bonds and Vouchers Redeemed.				5,324,891.88
Water Pipe Extension Certificates Redeemed.				125,585.06
Grand total including Bond Redemptions.				\$54,681,897.35

Bonds Outstanding December 31, 1915, \$31,924,600.00

- (a) The amount shown was not specifically appropriated under classification of "Salaries." Although expended for salary purposes, it is reported by the Comptroller under other classifications and is also included in this table in "Other Expenditures."
- (b) Expenditure made from working capital account for salaries of employees detailed on special work for various departments. This expenditure was ultimately distributed to, and appears in, the "Other Expenditures" of such departments,

TABLE 4.

COOK COUNTY.

Expenditures for the year 1915.

(Fiscal year ended December 4, 1915.)

	Avg. No. of Employes including Officials	Salaries	Other Expenditures	Total Expenditures
County Commissioners.	20	\$66,276.56	\$788.33	\$67,064.89
Comptroller.	17	35,787.90	7,466.15	43,254.05
Superintendent of Public Service. .	120	175,128.58	1,196.86	176,325.44
Sheriff, General.	159	263,969.84	1,333.69	265,303.53
Sheriff, County Building.	214	188,482.67	69,288.91	257,771.58
Sheriff, Criminal Court Building. .	57	58,623.87	30,213.19	88,837.06
Sheriff, County Jail.	83	95,727.06	43,765.75	139,492.81
Civil Service Commission.	12	16,938.00	715.22	17,653.22
Board of Assessors.	205	299,553.50	13,921.30	313,474.80
Township Assessors.	28	20,025.00	.....	20,025.00
Board of Review.	68	124,646.82	1,525.13	126,171.95
County Treasurer.	243	409,607.52	26,452.91	436,060.43
County Clerk.	244	341,482.68	9,404.12	350,886.80
Recorder.	330	375,967.93	11,530.91	387,498.84
Clerk of Circuit Court.	59	91,688.94	5,775.54	97,464.48
Clerk of Superior Court.	47	71,534.53	3,440.70	74,975.23
Clerk of Probate Court.	57	88,224.31	3,785.70	92,010.01
Clerk of Criminal Court.	38	62,868.60	1,693.33	64,561.93
Clerk of County Court.	34	44,862.57	1,525.41	46,387.98
Jury Commissioners.	15	18,305.63	623.46	18,929.09
Election Commissioners.	5	19,374.80	.....	19,374.80
Coroner.	36	75,477.44	12,842.72	88,320.16
State's Attorney.	90	239,819.85	124,911.90	364,731.75
Oak Forest Institutions.	300	180,309.87	376,400.73	556,710.60
County Hospital.	472	365,902.17	567,572.89	933,475.06
Department of Public Welfare. .	7	7,657.72	215.81	7,873.53
County Agent.	92	105,243.37	374,578.21	479,821.58
County Agent—Physicians. ....	.....	20,159.00	.....	20,159.00
Home for Delinquent and Depend- ent Children.	58	45,557.98	38,243.05	83,801.03
Juvenile Court Probation Officers. .	105	132,621.37	1,454.64	134,076.01
Adult Probation Officers.	13	16,439.33	537.26	16,976.59
County Superintendent of Schools. .	7	15,409.75	1,810.07	17,219.82
Superintendent of Highways.	30	23,704.89	878.14	24,583.03
Superior Court Judges.	18	87,310.79	.....	.....
Circuit Court Judges.	20	81,369.52	.....	.....
County Judge.	1	9,999.96	.....	188,680.22
Probate Court Judge.	1	9,999.95	.....	.....
Extra Judges. ....	.....	23,165.00	.....	23,165.00
Total Departmental Expenditures. .	3,305	\$4,309,225.27	\$1,733,892.03	\$6,043,117.30

TABLE 4—Continued

	Total Expenditures
Brought Forward.....	\$6,043,117.30
Elections.....	73,655.72
Jurors.....	416,509.66
Dieting of Prisoners, House of Correction.....	103,226.10
Parents' Pensions.....	130,805.92
Industrial Schools.....	302,100.68
Roads.....	35,231.30
Bridges.....	55,415.09
State Aid Roads.....	53,494.19
Building Construction and Betterment.....	81,961.39
Miscellaneous.....	96,444.79
Interest.....	438,931.76
Total Exclusive of Bonds Redeemed.....	\$7,830,893.90
Bonds Redeemed.....	797,000.00
Grand total including Bond Redemptions.....	\$8,627,893.90
Bonds outstanding December 4, 1915, \$9,887,500.00.	

TABLE 5.
SANITARY DISTRICT OF CHICAGO.
Expenditures for the Year 1915.

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures	Total Expenditures
Trustees.....	9	40,000.00	.....	40,000.00
Secretaries.....	3	7,499.86	.....	7,499.86
Consulting Engineer.....	3	10,064.97	.....	10,064.97
Engineering Dept.:				
Operation and Maintenance of Pumping Stations, Dams, Locks and Bridges.....	109	\$151,520.00	\$150,158.36	\$301,678.36
Construction.....	192	250,522.97	48,631.65	299,154.62
Construction Contracts.....	....	.....	2,814,195.50	2,814,195.50
Electrical Dept.:				
Operation and Maintenance....	570	121,885.75	134,156.74	256,042.49
Construction.....		424,992.15	788,998.21	1,213,990.36
Accounting and General.....	35	42,037.41	49,379.05	91,416.46
Clerical and General Admin.....	23	49,324.27	48,782.40	98,106.67
Real Estate Dept.....	4	8,963.91	1,134.13	10,098.04
Ills. and Mich. Canal and Ills. River Conditions Dept.....	57	29,883.62	7,584.91	37,418.53
Police Dept.....	31	37,205.97	1,140.22	38,346.19
Sewage Commission.....	2	4,676.45	525.97	5,202.42
Treasury Dept.....	1	2,499.96	74.00	2,573.96
Purchasing Dept.....	8	12,761.77	1,364.73	14,126.50
Law Dept.....	30	94,631.79	*87,158.69	181,790.48
Total Departmental Expenditures	1,077	\$1,288,420.85	\$4,133,284.56	\$5,421,705.41
Miscellaneous, other than Departmental.....				122,125.39
Real Estate and Right of Way Purchased.....				160,306.28
Bond Interest.....				554,330.00
Total Exclusive of Bonds Redeemed				\$6,258,467.08
Bonds Redeemed				1,356,000.00
Grand total including Bond Redemptions				\$7,614,467.08
Bonds Outstanding December 31, 1915, \$12,992,000.00				

* Includes fees for special counsel and others.

TABLE 6.
SOUTH PARK COMMISSIONERS.
Expenditures for the Year 1915.
(Fiscal Year Ended Feb. 29, 1916.)

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures	Total Expenditures
President.....	1	\$3,000.00		\$3,000.00
Auditor (Commissioner).....	1	3,000.00		3,000.00
Three Other Commissioners.....	3			
Treasurer.....	1			
Attorney.....	1	3,000.00	3,868.46	6,868.46
Supt. of Employment.....	1	3,000.00		3,000.00
Civil Service Commission.....	5	4,797.00	9,671.16	14,468.16
Secretary.....	1	3,900.00		3,900.00
Accounting Div.....	14	14,654.34	15,473.84	30,128.18
Purchasing Div.....	8	8,405.69	9,671.16	18,076.85
General Superintendent.....	1	6,500.00		6,500.00
Engineering & Construction Div.....	27	33,071.17	531,491.09	564,562.26
Maintenance and Repair Div....	613	362,518.05	101,208.75	463,726.80
Mechanical and Electrical Div.....	78	75,121.19	17,246.01	92,367.20
Div. of Playgrounds and Sports.....	232	147,353.04	223,832.53	371,185.57
Landscape Div.....	104	64,243.33	21,736.89	85,980.22
Police Div.....	191	207,504.48	3,935.02	211,439.50
Total Departmental Expenditures..	1,283	\$940,068.29	\$938,134.91	\$1,878,203.20
Miscellaneous, other than Departmental.....				73,145.12
Art Institute Maintenance.....				102,407.61
Bond interest.....				207,300.00
Total Exclusive of Bonds Redeemed				\$2,261,055.93
Bonds Redeemed:				
General.....				471,000.00
Special Assessments.....				121,700.00
Grand total including Bond Redemptions				\$2,853,755.93
Bonds Outstanding February 29, 1916, \$5,170,900.00				

TABLE 7.
WEST CHICAGO PARK COMMISSIONERS.
Expenditures for the Year 1915.

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures	Total Expenditures
Commissioners.	7	.....	.....	.....
Park Commissioner as Civil Service Commissioner .....	...	\$500.00	.....	\$500.00
Park Commissioner as Civil Service Commissioner .....	...	500.00	.....	500.00
Treasurer.....	1	.....	.....	.....
Secretary.....	1	4,800.00	.....	4,800.00
Administration Dept.....	20	23,292.50	\$15,764.13	39,056.63
Playgrounds Dept.....	151	103,412.36	138,492.41	241,904.77
Police Dept.....	124	145,651.54	1,164.81	146,816.35
Landscape Architect.....	1	2,400.00	.....	2,400.00
Supt. and Chief Engineer.....	1	4,800.00	.....	4,800.00
Engineering Dept.....	124	143,807.66	19,304.48	163,112.14
Maintenance Dept.....	373	265,035.34	91,651.46	356,686.80
Law Dept.....	2	5,100.00	462.65	5,562.65
Supt. of Employment.....	1	3,000.00	.....	3,000.00
Civil Service Commission.....	2	2,479.20	1,600.88	4,080.08
Total Departmental Expenditures ..	808	\$704,778.60	\$268,440.82	\$973,219.42
Miscellaneous, other than Departmental.....				101,927.03
Additional Lands.....				115,106.50
Interest.....				169,099.63
Total Exclusive of Bonds Redeemed				\$1,359,352.58
Bonds Redeemed:				
General.....				332,000.00
Special Assessments.....				48,300.00
Grand total including Bond Redemptions.....				\$1,739,652.58
Bonds Outstanding December 31, 1915, \$4,391,000.00.				

TABLE 8.
LINCOLN PARK COMMISSIONERS.
Expenditures for the Year 1915.

	Avg. No. of Employees Including Officials	Salaries	Other Expenditures Including Interdepart- mental Salary and Other Charges	Less Charges to Other Departments for Services Rendered	Total Net Depart- mental Expense
Commissioners.....	7	.....	.....	.....	.....
Park Commissioner as Civil Service Commissioner ...	...	\$ 500.00	.....	.....	\$ 500.00
Park Commissioner as Civil Service Commissioner ...	...	500.00	.....	.....	500.00
Superintendent of Employ- ment.....	1	3,000.00	.....	.....	3,000.00
Civil Service Commission...	1	1,156.10	\$ 993.59	.....	2,149.69
Treasurer.....	1	.....	.....	.....	.....
Attorney.....	1	3,000.00	1,023.27	.....	4,023.27
Secretary.....	1	5,000.00	.....	.....	5,000.00
Administration Dept.....	13	15,420.70	10,174.31	.....	25,595.01
Stores Dept.....	1	(a) 2,090.10	(a) 10,052.93	\$ 12,400.13	257.10*
Superintendent.....	1	5,000.00	.....	.....	5,000.00
Mechanical and Repair Dept.....	24	(a) 30,520.00	(a) 19,452.87	51,338.89	1,366.02*
Electrical Dept.....	32	(a) 39,895.35	(a) 52,105.57	92,000.92	.....
Police Dept.....	67	76,438.55	4,374.57	.....	80,813.12
Maintenance of Parks and Boulevards.....	201	121,525.77	153,004.19	.....	274,529.96
Heating Dept.....	11	(b) 10,651.95	(b) 10,789.50	20,787.64	653.81
Laundry Dept.....	9	(b) 5,453.65	(b) 3,155.22	5,699.07	2,909.80
Floral Dept.....	17	16,735.10	21,218.21	.....	37,953.31
Zoological Dept.....	18	19,292.10	32,983.89	.....	52,275.99
Engineering Dept.....	19	(c) 7,769.98	(c) 14,179.63	2,051.78	19,897.83
Fieldhouses and Play- grounds.....	71	51,524.90	48,304.39	.....	99,829.29
Stables Dept.....	25	(b) 23,271.00	(b) 17,315.85	37,191.28	3,395.57
Bathing Beaches.....	13	6,481.40	14,854.38	.....	21,335.78
Park Extension.....	...	(d) 10,635.35	(d) 9,789.28	.....	20,424.63
Nursery Farm.....	4	2,725.40	442.39	.....	3,167.79
Lemont Black Soil Farm ..	2	2,261.40	493.70	.....	2,755.10
Miscellaneous.....	...	574.29	31,948.60	.....	32,522.89
Total.....	540	\$461,423.09	\$456,656.34	\$221,469.71	
Less Interdepartmental Salary and Other Charges ...	...	.....	221,469.71	.....
Total Net Departmental Expenditures .....	...	\$461,423.09	\$235,186.63	.....	\$696,609.72
Bond and Note Interest.....					49,103.05
Sinking Fund					50,030.61
Bonds Redeemed.....					268,000.00
Grand Total Including Bond Redemptions.....					\$1,063,743.38
Bonds Outstanding December 31, 1915, \$1,887,000.00					

* Excess of charges to other departments over expense incurred.

- All this amount was charged to various other departments as services rendered and appears in "Other Expenditures" of those departments.
- The greater part of this amount was charged to various other departments as services rendered and appears in "Other Expenditures" of those departments.
- About one-tenth of this amount was charged to various other departments as services rendered and appears in "Other Expenditures" of those departments.
- Although charged to Park Extension, a large part of this expense was incurred by Park Maintenance Dept.

of Chicago.

	Ridge	Ridge Ave.	River	West Pullman	Totals
5 0 0 0	Mar. 31, 1916 Secy. \$200.00 Atty. 150.00	May 1 Atty. \$110.00 Secy. 60.00 Engr. 60.00 Treas. 697.20	Apr. 30 Atty. \$75.00	Dec. 31, 1915 Secy. \$100.00 Treas. 100.00 Director 215.00	33 Paid Officials \$10,997.20
	4 \$2,640.00	5 \$3,906.00		1 \$225.00	68 \$43,806.03
7 0	1,214.80 2,025.00	25,922.19 875.00	(e) 325.00	1,289.05 2,275.00	249,439.05 35,373.75
7	\$6,229.80	\$31,630.39	\$400.00	\$4,204.05	\$339,616.03
		None		None	5,000.00
7 0	\$6,229.80 \$40,500.00	\$31,630.39 \$35,000.00	\$400.00	\$4,204.05 \$62,000.00	\$344,616.03 \$953,000.00

TABLE 9.

Expenditures for the year 1915 of the Small Park Districts within the Present Limits of the City of Chicago.

	Calumet	Edison	Fernwood	First Park District of the City of Evanston	Irving	North Shore	Northwest	Old Portage	Ravenswood Manor-Gardens	Ridge	Ridge Ave.	River	West Pullman	Totals
Fiscal year ended.....	October	(a)	April 30, 1916	(b)	May 31, 1916	(a)	June 30, 1916	July 31, 1916	Apr. 30, 1916	Mar. 31, 1916	May 1	Apr. 30	Dec. 31, 1915	
Paid officials and salaries.....	Atty. \$100.00 Secy. 100.00		Atty. \$100.00 Secy. 100.00 Treas. 50.00		Secy. \$200.00 Treas. 200.00 Atty. 250.00 Mgr. 1,800.00		Treas. \$200.00 Atty. 300.00 Secy. 350.00 Auditor 150.00 Bkpr. 1,200.00 Supt. & Chief of Police 1,660.00 Sergeant at Arms 100.00	Atty. \$250.00 Treas. 200.00 Secy. 300.00 (Mgr. 1,200.00 Chief of Police 60.00	Atty. \$150.00 Secy. 60.00 Treas. 150.00	Secy. \$200.00 Atty. 150.00	Atty. \$110.00 Secy. 60.00 Engr. 60.00 Treas. 697.20	Atty. \$75.00	Secy. \$100.00 Treas. 100.00 Director 215.00	33 Paid Officials \$10,997.20
Average No. of other paid employees....	3		2		22		21	10	None	4	5		1	68
Total wages for other paid employees....	\$1,886.00		\$639.00		\$13,969.23		\$ 14,553.00	\$5,987.80		\$2,640.00	\$3,906.00		\$225.00	\$43,806.03
Other expenditures excluding bonds redeemed.....	5,276.33		705.99		6,338.38		{ 1,559.22 (d) 164,649.45 15,587.50	30,661.07	11,497.57	1,214.80	25,922.19	(e) 325.00	1,289.05	249,439.05
Interest on bonds.....	1,675.00		936.25		9,000.00			2,700.00	300.00	2,025.00	875.00		2,275.00	35,373.75
Total, exclusive of Bonds Redeemed....	\$9,037.33		\$2,531.24		(c) \$31,757.61		\$ 200,309.17	\$41,358.87	\$12,157.57	\$6,229.80	\$31,630.39	\$400.00	\$4,204.05	\$339,616.03
Bonds Redeemed.....	1,000.00		1,000.00		None		None	3,000.00			None		None	5,000.00
Grand Total expenditures including bond redemptions.....	\$10,037.33		\$3,531.24		\$31,757.61		\$ 200,309.17	\$44,358.87	\$12,157.57	\$6,229.80	\$31,630.39	\$400.00	\$4,204.05	\$344,616.03
Bonded Indebtedness.....	\$33,000.00		\$23,500.00		\$200,000.00		\$ 450,000.00	\$97,000.00	\$12,000.00	\$40,500.00	\$35,000.00		\$62,000.00	\$953,000.00

(a) No information furnished in response to request.

(b) As nearly all this District lies outside the limits of Chicago, its expenditures are included in the table on outside park districts.

(c) Not including real estate and construction.

(d) Real estate purchased and construction work.

(e) Approximate. No park activities on account of court proceedings.

TABLE 10.

Expenditures for the Year 1915 of Cities Outside the Present Limits of Chicago but Within the Proposed City Limits.

City	Fiscal Year Ended	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Berwyn.....	Dec. 31, 1915	(a) \$42,000.00	\$5,000.00	\$47,000.00	\$10,000.00
Blue Island....	.....	(b) .....	.....	.....	.....
Evanston.....	Dec. 31, 1915	520,451.66	12,000.00	532,451.66	294,600.00
Harvey.....	Apl. 30, 1916	32,944.80	49,251.24	82,196.04	194,479.97
W. Hammond ..	Jan. 31, 1916	92,583.56	1,620.00	94,203.56	1,835.00
Total.....	.....	\$687,980.02	\$67,871.24	\$755,851.26	\$500,914.97

(a) Does not include Special Assessments.

(b) No date furnished in response to request.

TABLE 11.

Expenditures for the Year 1915 of Small Park Districts Outside the Present Limits of Chicago but Within the Proposed City Limits.

Park District	Fiscal Year Ended	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Blue Island....	.....	(a) .....	.....	.....	.....
Clyde.....	June 30, 1916	\$1,826.30	None	\$1,826.30	\$7,500.00
First of Evans- ton (b).....	May 1, 1916	6,303.21	None	6,303.21	None
Glencoe.....	.....	(a) .....	.....	.....	.....
Kenilworth ..	.....	(a) .....	.....	.....	.....
Northwest of Evanston...	Mar. 31, 1916	25,140.94	1,000.00	26,140.94	22,000.00
Oak Park.....	Mar. 31, 1916	21,755.25	5,000.00	26,755.25	190,000.00
Riverdale.....	Apl. 30, 1915	193.52	47.98	241.50	75.00
River Forest...	Dec. 31, 1915	976.00	None	3,376.00	None
.....	.....	(c) 2,400.00	.....	.....	.....
Wilmette.....	Mar. 30, 1916	8,977.91	4,000.00	12,977.91	20,500.00
Winnetka.....	Mar. 31, 1916	17,934.00	3,000.00	20,934.00	48,000.00
Total.....	.....	\$85,507.13	\$13,047.98	\$98,555.11	\$288,075.00

(a) No information furnished in response to request.

(b) A small portion of this District lies within the present limits of the City of Chicago.

(c) Purchase of land.

TABLE 10.

Expenditures for the Year 1915 of Cities Outside the Present Limits of Chicago but Within the Proposed City Limits.

City	Fiscal Year Ended	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Berwyn.....	Dec. 31, 1915	(a)\$42,000.00	\$5,000.00	\$47,000.00	\$10,000.00
Blue Island....	.....	(b).....	.....	.....	.....
Evanston.....	Dec. 31, 1915	520,451.66	12,000.00	532,451.66	294,600.00
Harvey.....	Apl. 30, 1916	32,944.80	49,251.24	82,196.04	194,479.97
W. Hammond...	Jan. 31, 1916	92,583.56	1,620.00	94,203.56	1,835.00
Total.....	.....	\$687,980.02	\$67,871.24	\$755,851.26	\$500,914.97

(a) Does not include Special Assessments.

(b) No date furnished in response to request.

TABLE 11.

Expenditures for the Year 1915 of Small Park Districts Outside the Present Limits of Chicago but Within the Proposed City Limits.

Park District	Fiscal Year Ended	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Blue Island....	.....	(a).....	.....	.....	.....
Clyde.....	June 30, 1916	\$1,826.30	None	\$1,826.30	\$7,500.00
First of Evans- ton (b).....	May 1, 1916	6,303.21	None	6,303.21	None
Glencoe.....	.....	(a).....	.....	.....	.....
Kenilworth....	.....	(a).....	.....	.....	.....
Northwest of Evanston...	Mar. 31, 1916	25,140.94	1,000.00	26,140.94	22,000.00
Oak Park.....	Mar. 31, 1916	21,755.25	5,000.00	26,755.25	190,000.00
Riverdale.....	Apl. 30, 1915	193.52	47.98	241.50	75.00
River Forest...	Dec. 31, 1915	976.00	None	3,376.00	None
Wilmette.....	Mar. 30, 1916	8,977.91	4,000.00	12,977.91	20,500.00
Winnetka.....	Mar. 31, 1916	17,934.00	3,000.00	20,934.00	48,000.00
Total.....	.....	\$85,507.13	\$13,047.98	\$98,555.11	\$288,075.00

(a) No information furnished in response to request.

(b) A small portion of this District lies within the present limits of the City of Chicago.

(c) Purchase of land.

TABLE 12.

**Expenditures for the Year 1915 of Villages Outside the present Limits of Chicago
but Within the Proposed City Limits.**

Village	Fiscal Year Ended	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
Bellwood.		(a)	.....		.....
Broadview.	Apl. 30, 1916	\$5,702.80	None	\$5,702.80	\$3,000.00
Brookfield.		(a)	.....		.....
Burnham.		(a)	.....		.....
Burr Oak.	Apl. 30, 1916	6,075.16	None	6,075.16	None
Cicero.		(b)	.....		65,000.00
Dolton.		(a)	.....		.....
Evergreen Park	May 1, 1916	8,500.00	1,500.00	10,000.00	3,500.00
Forest Park.	Apl. 30, 1916	110,616.76	42,048.16	152,664.92	40,000.00
Franklin Park.	Apl. 30, 1916	19,850.00	350.00	20,200.00	5,125.00
Glencoe.	Feb. 29, 1916	50,745.60	4,000.00	54,745.60	21,500.00
Glenview.	May 1, 1916	4,000.00	.....	4,000.00	5,400.00
Gross Point.		(a)	.....		.....
Kenilworth.	Apl. 30, 1915	22,020.03	1,000.00	23,020.03	4,500.00
Lyons.		(a)	.....		.....
Maywood.	Apl. 30, 1916	35,656.25	4,500.00	40,156.25	50,000.00
Melrose Park.	Mar. 31, 1916	50,739.76	.....	50,739.76	.....
Morton Grove.	Apl. 30, 1916	14,883.15	None	14,883.15	5,000.00
Mt. Greenwood	-	6,000.00	500.00	6,500.00	2,000.00
Niles.		(a)	.....		.....
Niles Center.	Apl. 30, 1916	6,233.23	None	6,233.23	None
Oak Park.	Dec. 31, 1915	263,877.34	22,750.00	286,627.34	331,000.00
Phoenix.	Apl. 30, 1916	9,747.39	None	9,747.39	None
Posen.	Apl. 30, 1916	9,704.06	None	9,704.06	None
Riverdale.	Apl. 30, 1916	15,527.78	500.00	16,027.78	4,450.00
River Forest.	May 1, 1916	98,266.10	1,000.00	99,266.10	11,500.00
River Grove. ....		.....	.....		.....
Riverside.		(c) 26,786.28	2,000.00	28,786.28	No data
Shermerville.	Apl. 30, 1915	4,498.28	.....	4,498.28	.....
South Holland.		(a)	.....		.....
Stickney.	Apl. 30, 1915	3,798.83	.....	3,798.83	.....
Summit.		(a)	.....		.....
Tessville.	May 1, 1916	2,500.00	.....	2,500.00	.....
Wilmette.	Mar. 31, 1916	121,761.34	(d) 60,000.00	181,761.34	479,600.00
Winnetka.	Apl. 1, 1916	(e) 171,722.00	(e) 92,484.00	264,206.00	369,058.00
Total. ....	.....	\$1,069,212.14	\$232,632.16	\$1,301,844.30	\$1,400,633.00

- (a) No data furnished in response to request.
 (b) Information furnished not in form to be used.
 (c) Appropriation.
 (d) Estimated; exact amount not available from report.
 (e) Estimate for 12 months from 13 months' expenditure.

TABLE 13.

Expenditures for the Year 1915 of Townships Outside the Present Limits of Chicago but Within the Proposed City Limits

Township	Fiscal Year Ended	Total Expenditures	Bonds Redeemed	Bonded Indebtedness
Berwyn (a).....				
Calumet.....		(b)		
City of Evanston (a)...		None	None	None
New Trier.....	March 31, 1916	\$20,859.10	None	None
Niles.....		(b)		
Oak Park.....		None	None	None
Riverside.....	March 28, 1916	(c) 7,000.00		
Stickney.....	March 28, 1916	13,774.92		\$1,400.00
Total.....		\$41,634.02		\$1,400.00

(a) See city of same name, Table 10.

(b) No data furnished in response to request.

(c) Approximate.

TABLE 14.

Expenditures for the Year 1915-1916 of School Districts Outside the Present Limits of Chicago but Within the Proposed City Limits

(Year Ended June 30, 1916)

	Total Excluding Bonds Redeemed	Bonds Redeemed	Total Expenditures Including Bonds Redeemed	Bonded Indebtedness
44 Districts Entirely Within Proposed Limits.....	\$1,373,611.06	\$ 97,403.87	\$1,471,014.93	\$1,653,200.00
6 High School Districts Entirely Within Proposed Limits.....	611,512.45	29,000.00	640,512.45	780,000.00
9 Districts Partly Within and Partly Without Proposed Limits.....	86,938.06	4,000.00	90,938.06	59,500.00
2 High School Districts Partly Within and Partly Without Proposed Limits.....	159,922.72	10,000.00	169,922.72	210,000.00
Total.....	\$2,231,984.29	\$140,403.87	\$2,372,388.16	\$2,702,700.00

APPENDIX E

CHARTS.

Chart Showing Plan of Organization Proposed for a Metropolitan Court for Chicago.

Charts Showing Plans of Organization and Departmental Expenditures for the year 1915:

City of Chicago.

Cook County.

Sanitary District of Chicago.

South Park Commissioners.

West Chicago Park Commissioners.

Lincoln Park Commissioners.

A PLAN FOR A
METROPOLITAN COURT
PLAN OF ORGANIZATION PROPOSED BY THE
AMERICAN JUDICATURE SOCIETY

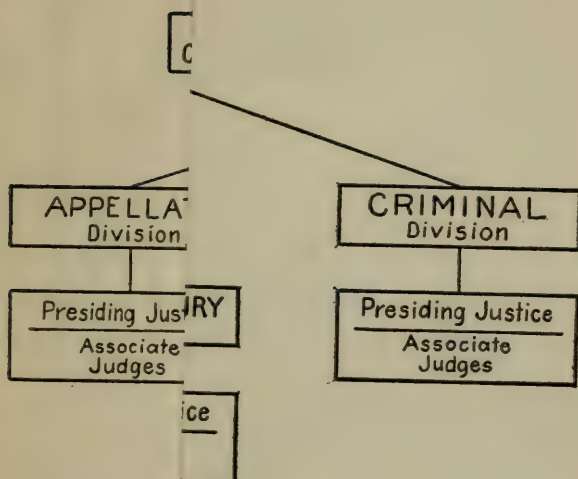
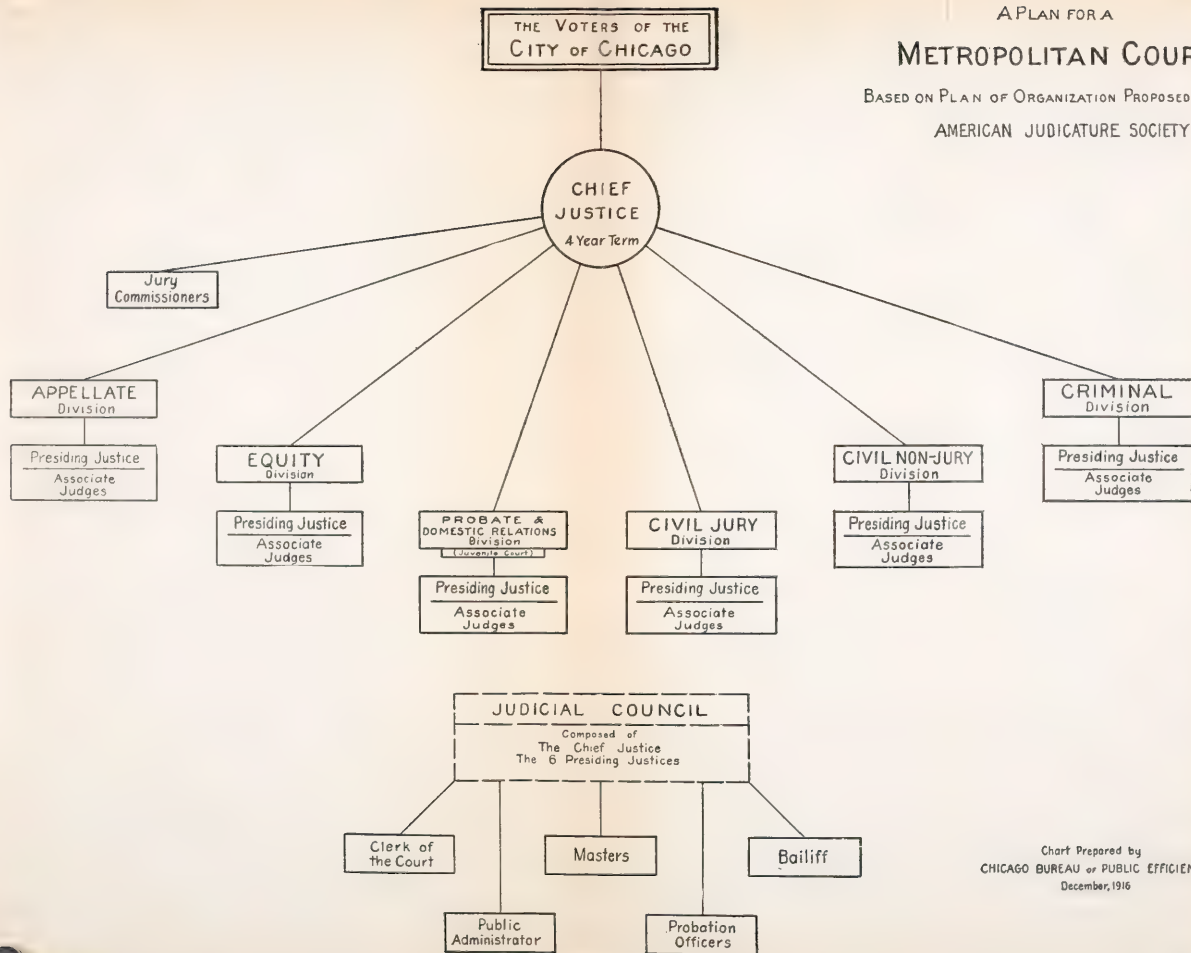


Chart Prepared by
CHICAGO BUREAU of PUBLIC EFFICIENCY
December, 1916

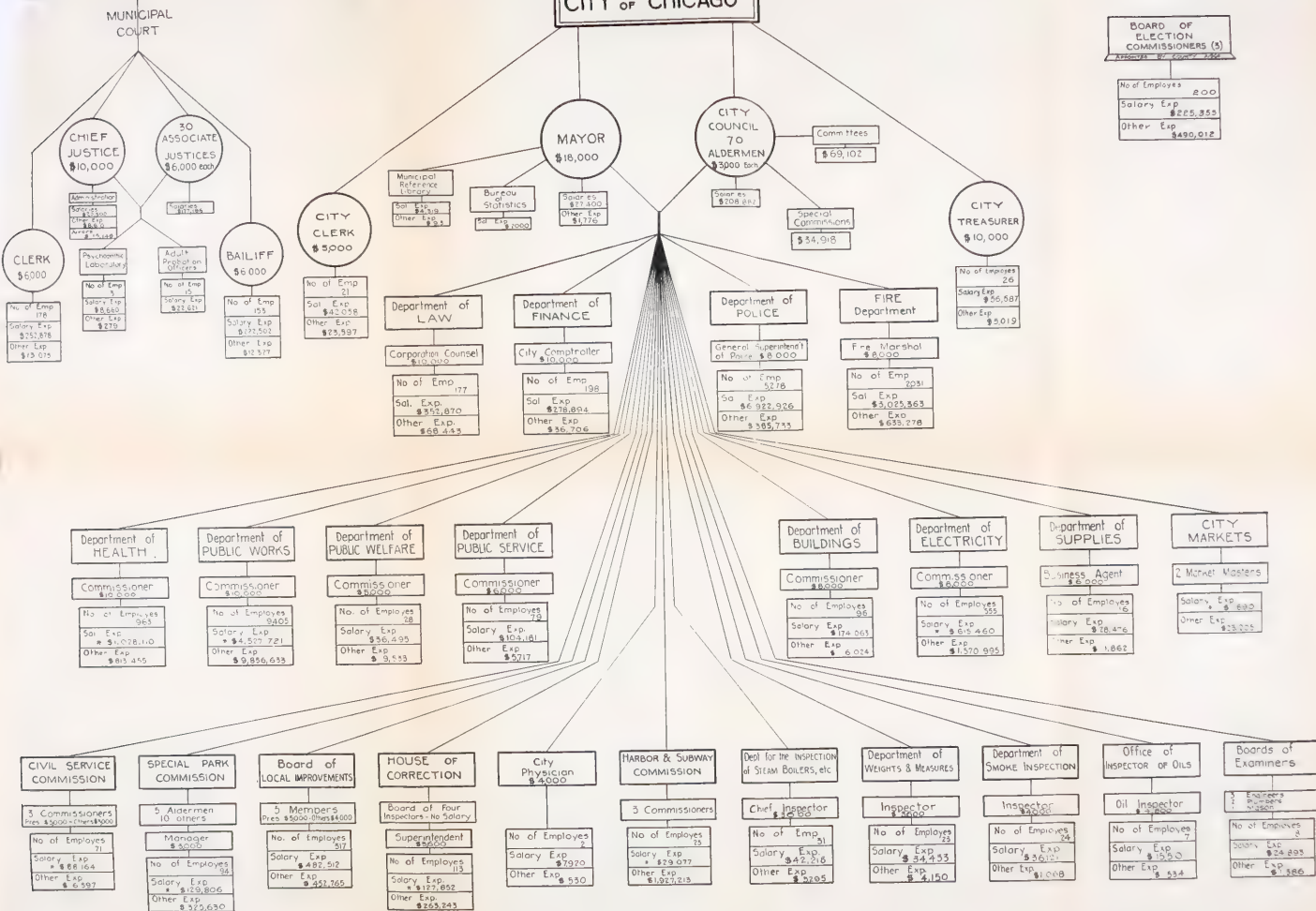
METROPOLITAN COURT

BASED ON PLAN OF ORGANIZATION PROPOSED BY THE
AMERICAN JUDICATURE SOCIETY



THE VOTERS OF THE CITY OF CHICAGO

BOARD OF ELECTION COMMISSIONERS (5)	
President - Mr. Joseph P. Ryan	
No. of Employees	800
Salary Exp.	\$225,353
Other Exp.	\$450,012



NOTES.

For the plans of organization of the Board of Education, Library Board, and Municipal Tuberculosis Sanatorium and their relation to the Mayor and City Council see chart opposite p. 141 for the expenditure of these bodies, not shown on this chart, see table, p. 84.

Departmental "Salary Expenditures" in each instance include Salary of Head of Department or Office which is alone not out separately.

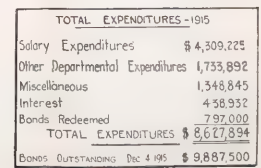
*Does not include salary expenditures from capital accounts or lump sum appropriations. See table, p. 84.

TOTAL EXPENDITURES-1915	
Salary Expenditures	\$ 10,596,436
Other Departmental Expenditures	17,164,098
Special Assessments (Vouchers Issued)	6,998,246
Miscellaneous	1,015,192
Bond Interest	1,737,905
Bonds Redeemed	8,572,020
TOTAL EXPENDITURES	\$ 36,183,897
Bonds Outstanding Dec. 31, 1915	\$ 31,924,600

○ Elective Officials

Prepared by
CHICAGO BUREAU OF PUBLIC EFFICIENCY
December, 1916

CHART SHOWING
PLAN OF ORGANIZATION
AND
DEPARTMENTAL EXPENDITURES
OF THE
CITY OF CHICAGO
FOR THE YEAR 1915



○ Elective Officials

THE VOTERS OF THE SANITARY DISTRICT OF CHICAGO

CHART SHOWING PLAN OF ORGANIZATION AND DEPARTMENTAL EXPENDITURES OF THE SANITARY DISTRICT OF CHICAGO FOR THE YEAR 1915

TOTAL EXPENDITURES - 1915	
Salary Expenditures	\$ 1,288,421
Other Departmental Expenditures	4,133,284
Miscellaneous	282,432
Bond Interest	554,330
Bonds Redeemed	1,356,000
TOTAL EXPENDITURES	\$ 7,614,467
Bonds Outstanding Dec. 31, 1915 \$12,992,000	

PRESIDENT
BOARD OF
9 TRUSTEES
Salaries \$40,000
Secretaries 7,500

Consulting Engineer
9 months only \$5,250
Other Salary Expend. \$4,815

Treasurer
\$2,500
Other Expenditure \$74

SEWAGE COMMISSION
7 months only
Salary Exp. \$4,676
Other Exp. \$ 526

ENGINEERING
DEPARTMENT

Chief Engineer
\$9,000

Construction under
Contract
\$2,814,195

Bridges, Locks,
Dams, & Pumping
Stations
No. of Employees 109
Salary Exp. \$151,520
Other Exp. \$150,158

Construction
No. of Employees 191
Salary Exp. \$250,523
Other Exp. \$ 48,632

CLERICAL & GEN'L
ADMINISTRATION

Clerk of District
\$5,000

No. of Employees 22
Salary Exp. \$429,324
Other Exp. \$48,782

DEPARTMENT OF
ELECTRICITY

Electrical Engineer
\$8,420

Accounting &
General
Comptroller \$5,000
No. of Employees 34
Salary Exp. \$21,037
Other Exp. \$28,370

Operation &
Maintenance
Salary Exp. \$121,886
Other Exp. \$154,157

Construction
Salary Exp. \$404,992
Other Exp. \$168,998
No. of Employees 589

PURCHASING
DEPARTMENT

Purchasing Agent
\$5,000

No. of Employees 7
Salary Exp. \$12,762
Other Exp. \$ 1,365

LAW
DEPARTMENT

Attorney
\$9,000

No. of Employees 29
Salary Exp. \$94,632
Other Exp. \$87,159

REAL ESTATE
DEPARTMENT

Manager
\$5,000

No. of Employees 5
Salary Exp. \$89,664
Other Exp. \$1,134

DEPT. OF ILLINOIS &
MICHIGAN CANAL &
ILLINOIS RIVER CONDITIONS

Illinois Valley
Engineer \$5,000

No. of Employees 56
Salary Exp. \$29,884
Other Exp. \$ 7,585

POLICE
DEPARTMENT

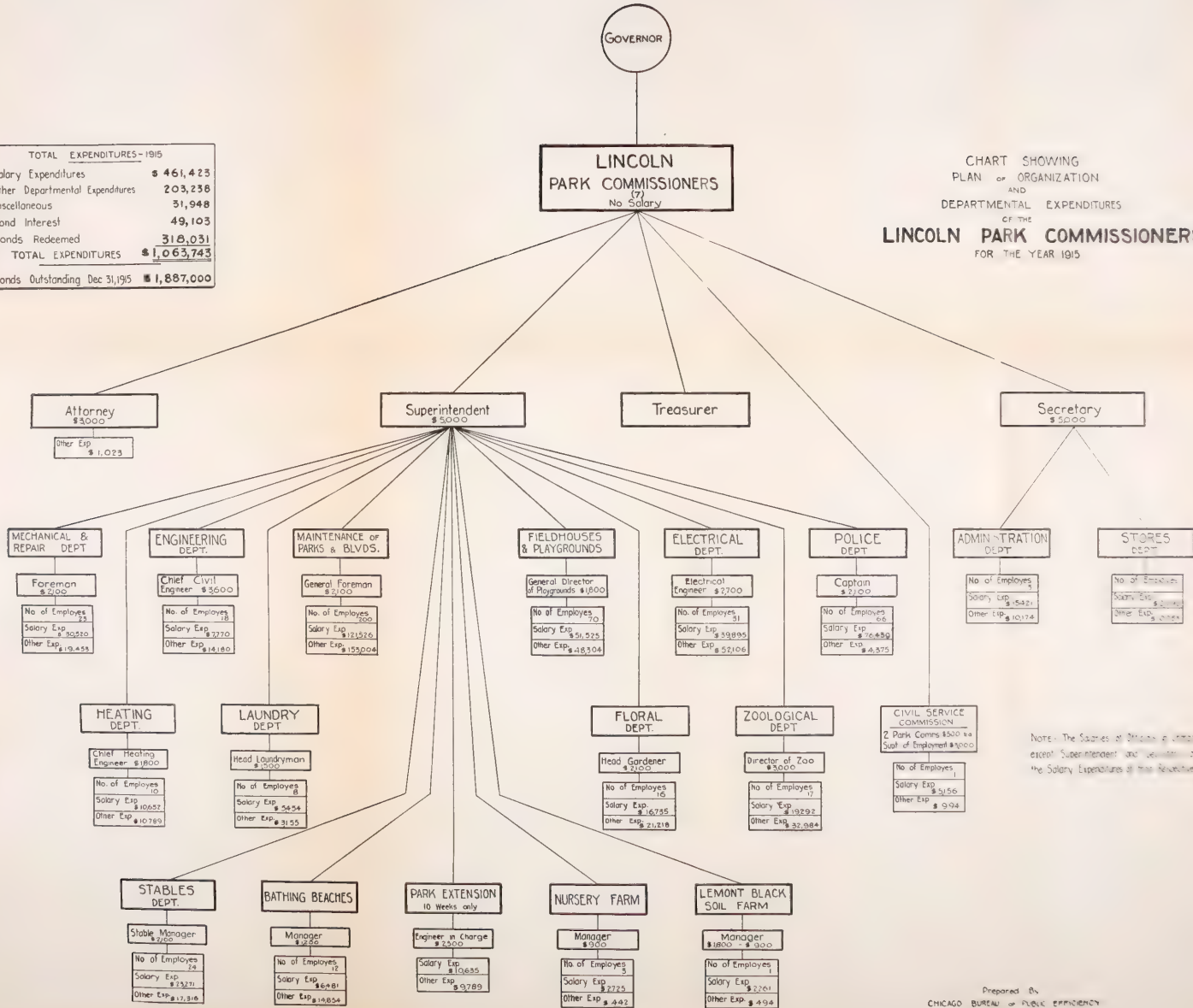
Marshal
\$3,000

No. of Employees 30
Salary Exp. \$27,206
Other Exp. \$ 1,140

Note: Departmental "Salary Expenditures" includes Salary of Head of Department or Division which is also set out separately.

TOTAL EXPENDITURES - 1915	
Salary Expenditures	\$ 461,423
Other Departmental Expenditures	203,238
Miscellaneous	31,948
Bond Interest	49,103
Bonds Redeemed	318,031
TOTAL EXPENDITURES	\$ 1,063,743
Bonds Outstanding Dec 31, 1915	\$ 1,887,000

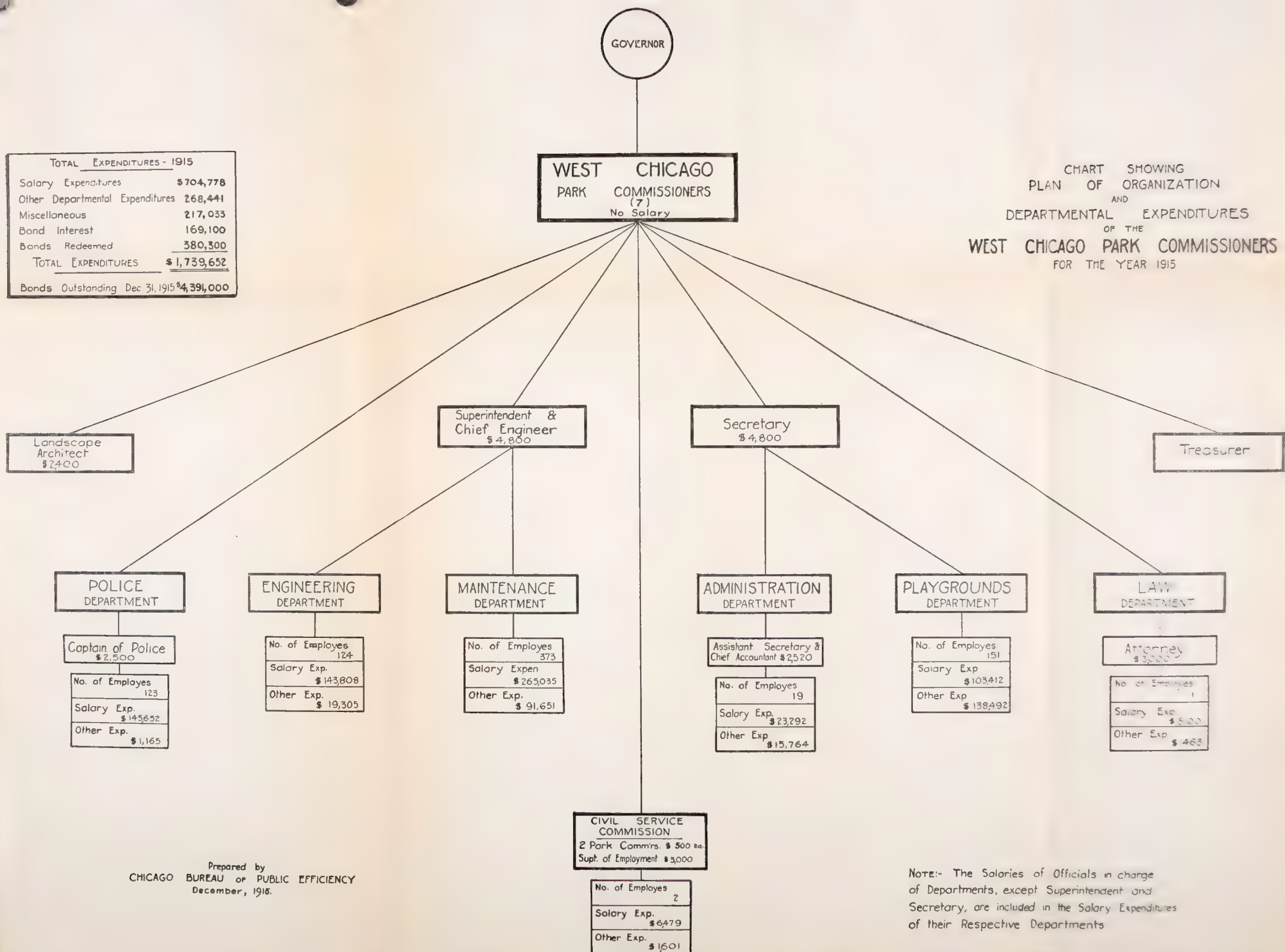
CHART SHOWING
PLAN OF ORGANIZATION
AND
DEPARTMENTAL EXPENDITURES
OF THE
LINCOLN PARK COMMISSIONERS
FOR THE YEAR 1915



Note: The Salaries of Officers & Clerks of Department, except Superintendent and Secretary, are included in the Salary Expenditures of their respective Departments.

TOTAL EXPENDITURES - 1915	
Salary Expenditures	\$704,778
Other Departmental Expenditures	268,441
Miscellaneous	217,033
Bond Interest	169,100
Bonds Redeemed	380,300
TOTAL EXPENDITURES	\$1,739,652
Bonds Outstanding Dec 31, 1915 \$4,391,000	

CHART SHOWING
PLAN OF ORGANIZATION
AND
DEPARTMENTAL EXPENDITURES
OF THE
WEST CHICAGO PARK COMMISSIONERS
FOR THE YEAR 1915



Prepared by
CHICAGO BUREAU OF PUBLIC EFFICIENCY
December, 1915.

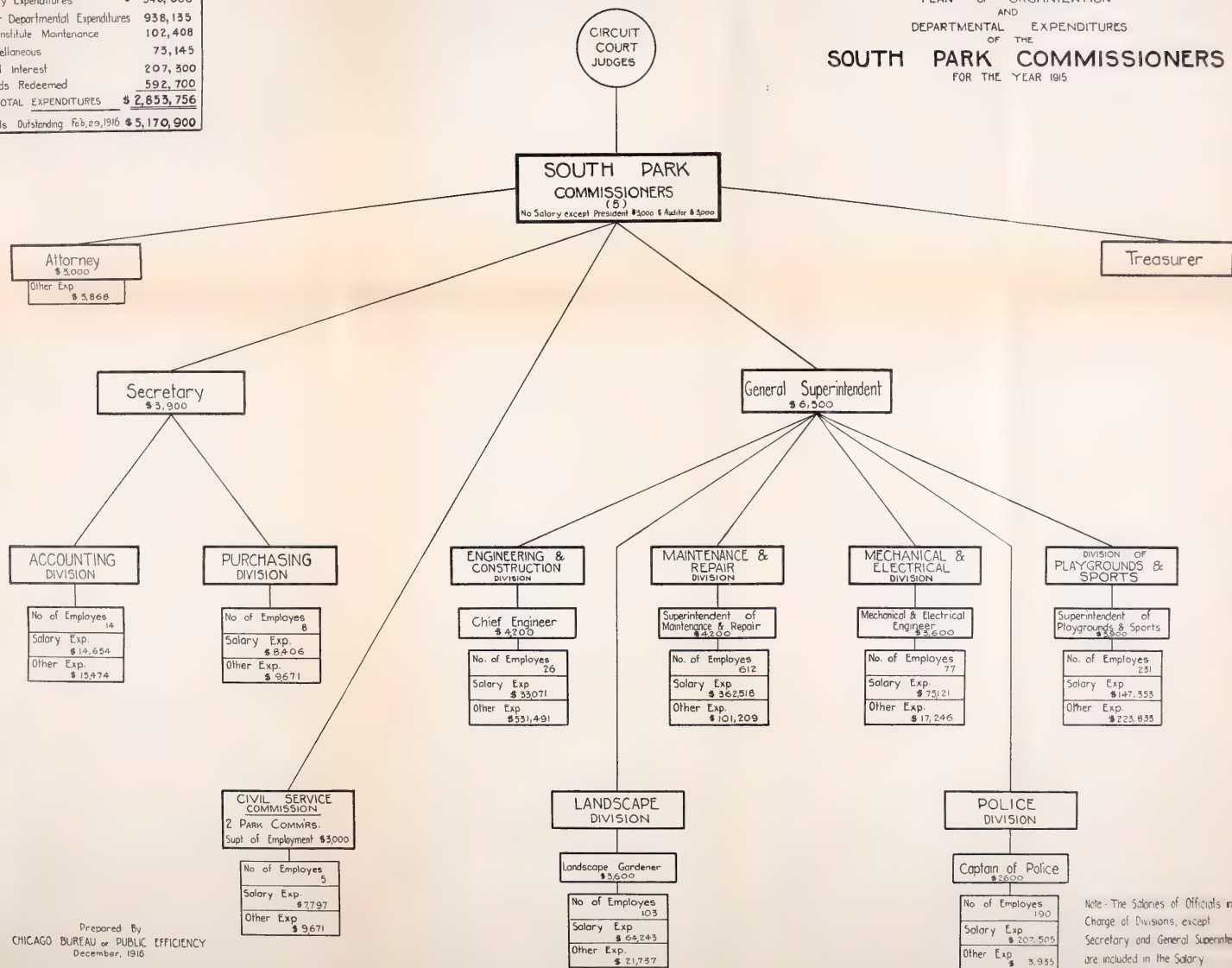
NOTE:- The Salaries of Officials in charge of Departments, except Superintendent and Secretary, are included in the Salary Expenditures of their Respective Departments

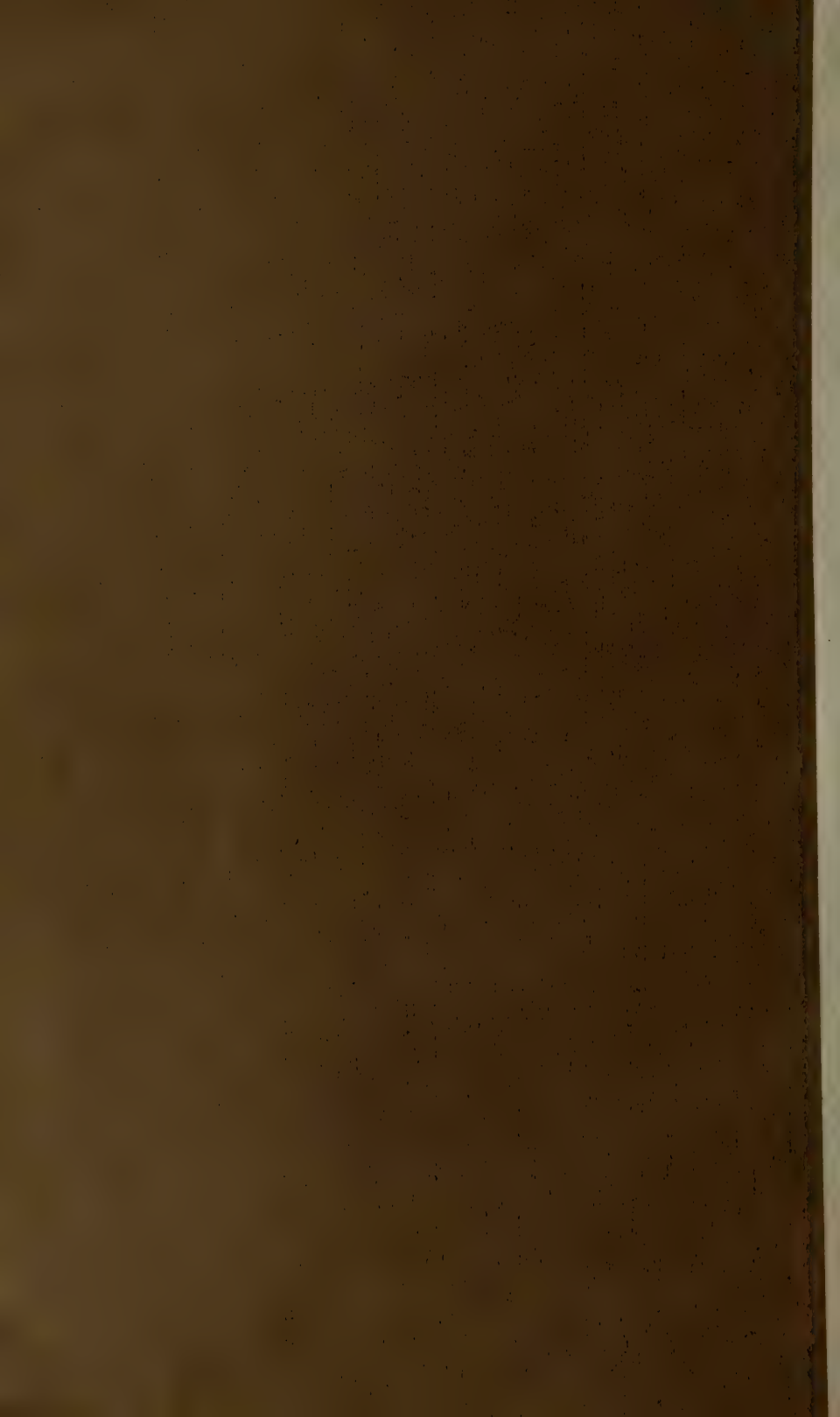
TOTAL EXPENDITURES-1916

Salary Expenditures	\$ 940,068
Other Departmental Expenditures	938,135
Art Institute Maintenance	102,408
Miscellaneous	73,145
Bond Interest	207,300
Bonds Redeemed	592,700
TOTAL EXPENDITURES	\$ 2,853,756
Bonds Outstanding Feb, 29, 1916	\$ 5,170,900

CHART SHOWING
PLAN OF ORGANIZATION
AND

DEPARTMENTAL EXPENDITURES

OF THE
SOUTH PARK COMMISSIONERS
FOR THE YEAR 1915



PROCEEDINGS OF THE SECOND CONFERENCE FOR

BETTER COUNTY GOVERNMENT

IN NEW YORK STATE

Syracuse, N. Y., December 14-15, 1916

Sessions held at the Onondaga Hotel

CONTENTS

	Page
Resolutions Adopted	3
Address of Welcome .....Hon. Walter R. Stone	6
County Government—A Problem in Low Visibility.....Richard S. Childs	10
A Plea for the County Plan of Tax Administration .....Hon. Martin Saxe	16
Highway Administration .....Benjamin Rice	31
County Administration of Highways under State Control .....Hon. Edwin Duffey	32
What Is the Trouble with County Government?.....L. Grant Sheldon	39
Shall New York State have a State Constabulary?.....Helen Hoy Greeley	49
The Purchase of Municipal Supplies.....Frank X. Wood	60
Concentration of Responsibility in County Government .....Otho G. Cartwright	69
Simplification of County and Local Finances.....Mark Graves	74
The County as a Unit of School Administration. Are There Better Units? .....Hon. Thos. E. Finegan	87
Legislative Program of the County Government Association.....H. S. Gilbertson	97
County Jails and Local Penology....Hastings H. Hart, L. L. D.	99
Discussions, with names of the several speakers, follow each paper	

PRICE 25 CENTS

For additional copies and further information, address
Otho G. Cartwright, Secretary, 15 Court Street.
White Plains, N. Y.

ACCREDITED DELEGATES IN ATTENDANCE

Wm. G. Stuart, Skaneateles, N. Y., Ex-Supervisor, Onondaga county.

E. E. McDowell, Memphis, N. Y.

Henry J. Cookinham, Utica, N. Y.

C. A. Hills, 120 S. Salina Street, Syracuse, N. Y.

Mark Graves, Albany, New York State Comptroller's Department.

Andrew Spencer, Albany, New York State Comptroller's Department.

C. W. Snow, First National Bank, Syracuse.

A. A. Kendall, Syracuse, Supt. Shelter.

Otho G. Cartwright, New York City, Secretary-Treasurer, County Government Association.

Richard S. Childs, New York City.

Hastings H. Hart, New York City; Director Dept. of Child-Helping, Russell Sage Foundation.

John D. Cremer, Jr., Brooklyn, Bureau of Municipal Research of N. Y.

Henry Toll, 261 Broadway, New York City, Bureau of Municipal Research of N. Y.

Albert F. Eckel, 941 O. C. S. B. Bldg., Syracuse; Vice-President of County Government Association.

L. Grant Sheldon, Syracuse.

Thomas H. McElvein, Jr., Buffalo; Chairman Erie County Board of Supervisors.

George S. Buck, Buffalo; Erie County Auditor.

Alonzo G. Hinkley, 36 City Hall, Buffalo; Clerk of Board of Supervisors of Erie County.

(Continued on inside page of back cover)

PROCEEDINGS OF THE

SECOND CONFERENCE FOR
BETTER COUNTY
GOVERNMENT

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Sessions held at the Onondaga Hotel

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White Plains, N. Y.

LOCAL COMMITTEE

GILES H. STILWELL, Chairman

WARREN C. BRAYTON, President City Bank

OLIVER D. BURDEN, Attorney

JOHN R. CLANCY, President Syracuse Chamber of Commerce

VIRGIL H. CLYMER, Attorney and President Syracuse Commission
Government Association

ALBERT F. ECKEL, Attorney and Vice-President County Government
Association of New York State

CHARLES S. ESTERBROOK, Attorney and President Syracuse Post-Standard Co.

DR. A. C. FLICK, Professor of European History, Syracuse University

CHARLES M. GOODSPEED, Supervisor Town of Skaneateles

FREDERICK R. HAZARD, President Solvay Process Company

CHARLES S. KELLER, Supervisor Town of Lysander

L. GRANT SHELDON, ex-Supervisor and Phelps-Raby Co.

CHARLES W. SNOW, Chairman First National Bank

JAY M. STRONG, Commissioner of Charities, Syracuse

WM. G. STUART, ex-Supervisor Town of Skaneateles

CHARLES F. TELLER, Secretary Onondaga Taxpayers' Association

HORACE S. WILKINSON, President Great Lakes Steamship Co.

LOUIS WILL, ex-Mayor and President Will & Baumer Co.

NEWELL B. WOODWORTH, Attorney and President Syracuse Chapter
S. A. R.

INTRODUCTORY

THE Second Conference for Better County Government was called by the County Government Association of New York State, which organization is briefly described by Mr. Childs on page 8 of this volume.

Arrangements for the conference at Syracuse were directed by the local committee, organized by Hon. Giles H. Stilwell, of that city. The names of the committee are printed on the opposite page.

RESOLUTIONS ADOPTED

1. *Legislative Program*

RESOLVED, That it is the sense of this conference that the executive committee prepare and cause to be introduced in the legislature, when deemed expedient, the following measures:

First. A constitutional amendment designed to secure a larger measure of control by the people of the counties and their elected representatives in the matter of determining the form of their county government and such other public matters as are of exclusive or peculiar interest to individual counties.

Second. A bill designed to secure to the people of the counties under present constitutional provisions, the right to make a choice between the present form of county government and at least one simplified form of government which shall provide for the election of a small county governing body elected by the county at large, which shall act through a county manager, who shall have the power to appoint and remove the principal county officers not required by the constitution to be elected.

BE IT FURTHER RESOLVED, In view of the numerous evidences of gross inefficiency and negligence which have been revealed by superficial and casual investigation within recent years in many counties, and which in some counties have reached the point of flagrant corruption, that the legislature of 1917 be requested to direct the appointment of a commission to make a more thorough investigation of conditions prevailing throughout the state affecting the organization and management of the several counties, and to make recommendations for the improvement of such organization and management.

2. *Organization of County Branches*

RESOLVED, That it is the sense of this conference that, as rapidly as possible, there shall be organized in each county of the state a local branch of the County Government Association of New York State, for the purposes of increasing the membership of the Association, and of forwarding the work of county government reform.

3. *Resolution of Thanks.*

RESOLVED, That the delegates and guests in attendance at this conference extend to the local committee and to the officers and people of Syracuse this expression of their grateful appreciation of the many courtesies shown to them, and of the thoughtfulness and completeness that have characterized in every detail the arrangements made by the committee for this conference.

RESOLVED, That the thanks of the conference be extended also to the newspapers of Syracuse for their open-minded reception of its discussions and for their aid in spreading the substance of these discussions broadly among those unable to attend the conference.

Proceedings of the Second State Conference for Better County Government in New York State

THURSDAY EVENING SESSION

December 14, 1916

Chairman: HON. GILES H. STILWELL, Syracuse.

[The first session of the conference was held in the auditorium of the Onondaga Hotel. It was called to order at 8:15 p. m., Thursday, December 14, 1916, by the Secretary of the Association, Mr. Otho Grandford Cartwright, of New York City, who said:]

Ladies and Gentlemen: It falls to my lot, ex officio, as Secretary of the County Government Association of New York State, to call this conference to order. I have also the unfortunate duty to announce to you that President Baldwin, who was to be chairman this evening, has been ordered by his physician to continue in his bed, where he is confined by sickness, and to dismiss from his mind all thoughts of any possibility of attending this convention. President Baldwin's disappointment is great, because he was counting very much on being present with you this evening, and because his heart is full of the work of the Association, and of the cause that it represents. And I am sure that our own disappointment is fully commensurate with his.

But we have advantage over him, because in his absence we are very fortunate in having secured for chairman a man known to you all, and whom you all respect and honor, namely, the Hon. Giles H. Stilwell, of Syracuse, who has consented to preside at this meeting. I have the pleasure of asking Mr. Stilwell to take the chair.

HON. GILES H. STILWELL.

Ladies and Gentlemen: I thank you for the honor of presiding over this meeting, but regret with you that Mr. Baldwin is unable to be present.

Those most intimately associated with Mr. Baldwin have learned what a generous, enthusiastic supporter of the work of reform he is, and also what a capable executive and presiding officer he is, and how valuable his help is in the work of civic betterment.

It will be of interest to you to know that of the fund of \$5,000.00 a year adjudged by the executive committee to be necessary for the work of the association, Mr. Baldwin has personally guaranteed one-half.

We have a full program, and I won't take any more of your time, except to give two or three announcements.

To-morrow, at 12:30, there will be a luncheon in the Cafe Annex that is next to the main dining room downstairs, to which the delegates and friends are invited. The tickets are one dollar. In connection with the luncheon there is to be a program, which you will find printed on the official program that I presume most of you have.

Immediately after the luncheon, the Chamber of Commerce has arranged for a free automobile trip in closed cars to the County Buildings. At 2:30, at the Warren Street entrance, you will find the automobiles, and we will make a visit to the penitentiary, the county home, and the sanatorium. We will be glad to have those who desire to go on that trip hand their names to the secretary so that he will know how many cars we are to provide. Also those who desire to attend the luncheon to-morrow we wish to have purchase tickets as soon as they conveniently can, in order to know how many to arrange for there.

The welcome you will heartily receive is to be given by the mayor of the city, Mayor Stone.

ADDRESS OF WELCOME

HON. WALTER R. STONE, Mayor of Syracuse.

Mr. Chairman and Gentlemen: I am, of course, sincerely very glad to welcome so august a body as yours to our city. I feel that a meeting of this kind can be productive of very great good. Selfishly I look upon it as of great advantage to the City of Syracuse and County of Onondaga, but in a broader way I know it may be, can be, and will be, of benefit to the state at large. And to the state at large such benefit will accrue just in so far as your deliberations are thoughtful and you make your purpose here that of giving thought and time and contributing the experience of men who have worked in county governments, men who have studied county governments, and men who know about county governments throughout the state.

I am not going to make extended remarks. There are a few things born of the experience of a very few months in official life that I might, with your permission, say. I find that I have acquired a few ideas in the last few months in the city of Syracuse. I have

had to change some of my ideals. I have had to come to some conclusions in regard to municipal government, at least, that I never expected I would come to, and yet I find this—that when a man takes on a new responsibility, and when he realizes his responsibility, his thinking machine sometimes necessarily has to go along different grooves than it would, or it did, when he had not such responsibility. In other words, I found that as a member of different civic and social organizations it was very much easier for me to “resolute,” or help “resolute,” or pass resolutions on different subjects affecting the municipality or the county, or the state, when I did not have any responsibility in carrying out those resolutions, than it is to try to carry them out after assuming official responsibility. I find there are occasions when things cannot be done in the ideal way. These statements are in no way, understand me, offered as an excuse for any wrongdoing or any careless doing, or any doing of any sort that is not open and above board and perfectly free to be investigated. But there are matters of policy of government, there are matters of expense of government that a public official, if he is honest and conscientious, has got to stop and weigh; and decide, not from an ideal or an idealistic standpoint, but from, in the first place, what the taxpayer ought to be willing to pay, and, in the next place, what he is able to pay. In other words, a public official who is in the position where he has the deciding of a project, sometimes has, for instance, to act as a buffer between what the people desire and have every right to have, and yet what they are willing to pay for.

Now, any association for the uplift of the common welfare, that meets in any community, whether it be a city or otherwise, is of value, to my mind, in proportion to the sincerity of the motive that is behind it. And I for one believe that a public official is not doing the full measure of his duty, is not performing the duties of his office properly, unless he welcomes all kinds and nature of advice, unless he is anxious to receive constructive criticism and helpful suggestions. And I am sure that no public official will make a success of his term of office if he resents, as I know has sometimes occurred, the citizen inquiries, some of them, I was going to say, seeming impertinent inquiries, which represent the interest of the every day taxpayer. After all, a public officer is a public servant. He need not be servile, but he should be willing to serve. And just as he feels that he is serving he is doing the full measure of his duty. Just as soon as he begins to feel that he has the ordering of affairs, then he ceases to be a valuable official.

I do welcome you on behalf of the City of Syracuse and the County of Onondaga, in the hope that your deliberations here will

be productive of helpful hints and suggestions and ways and means of improving the city government. The city is what I am primarily interested in, and next to that, our county government, to the fullest extent that you men in your deliberations are able to improve them. I thank you very much.

Chairman Stilwell: I will introduce the next speaker by reading a clipping from the Outlook. In the issue of May 3rd, 1916, commenting upon an article by Mr. Childs, which had the same title as his address to-night, has, the editors say: "Mr. Childs is an original student of governmental problems, is father of the commission-manager plan of municipal government, and a director of the National Short Ballot Organization. His pioneer article on the short ballot as an instrument of good government was published in the Outlook in 1909. We are glad to have him select the Outlook again, as he did seven years ago, to be the medium to convey to the public his ideas on the unexplored territory of county government." We shall all be much pleased to hear Mr. Richard S. Childs upon the subject: "*Ramshackle County Government.*"

MR. RICHARD S. CHILDS

Mr. Chairman, Ladies and Gentlemen: I feel that it is incumbent upon me, acting at the moment in the capacity of Vice-President of the County Government Association, to say just a few words as to who we are and what we are. I am certain that there are some who do not know the history of this organization which meets here to-night and to-morrow, and who might like to know. I feel, too, that in entering a new place it is incumbent upon us to scrape our feet on the doormat, and before I proceed to give my paper I will say a few words about the County Government Association. Four years ago, or thereabouts, the Short Ballot Organization of New York State, in trying to develop a program in the field of county government, found that it could not apply short ballot principles to county government without involving itself in so many other alien problems as to go far beyond its original field. It seemed wise, therefore, to try to start a full fledged study of county government in all its branches, and not merely in the particular field which interested the Short Ballot Organization. And out of the committee there grew a series of informal conferences in New York City where there was produced some excellent original literature on county government. These conferences were followed, after we had built up a nucleus of kindred spirits and students of the subject, by a state conference held two years ago at

Schenectady, the first conference for county government in this state or any other state.

A Pioneer Association

I do not know whether you realize what pioneers we are. There have been organizations for better municipal government for fifty years. There has been a National Municipal League which for twenty-five years has been holding conferences for better municipal government. Books on municipal government have been published without number—the mere catalogue of them takes twenty-five pages—just a list of the titles. But in the field of county government there has never been a book published. Nobody is interested in county government. It is very hard to collect even a handful of men who are willing to devote serious study to the subject. The time is coming when it is going to be a very great, live subject, and a very interesting subject to a great number of people. Meanwhile, as pioneers, we have got to work our way along and develop the interest.

One reason why the attendance to-night is not large is because the County Government Association, which was the outgrowth of that first conference for better county government two years ago, has chosen deliberately to meet in this section of the state where it has very few members. Most of the members of our association are from Westchester and Nassau counties, and other counties in the eastern part of the state. We came out here and left our membership, to a considerable extent, behind us, because we wanted the people in this part of the state and the county officials in this part of the state to realize that there is such an organization as the County Government Association, and to get in touch with it.

It is the Second Conference for Better County Government, and is held under the auspices of the County Government Association, which is the outgrowth of the first conference. The County Government Association is still a very small affair, with a very small membership scattered all over the State of New York. The membership dues are \$2.00 a year, and if any one has \$2.00 and an inclination to part with it in the interest of county government, I hope he will not fail to do so.

The little organization has achieved a paid secretary. Mr. Cartwright does not live on what he is paid, but we have an office in White Plains, and a certain amount of work is done right along throughout the year.

The County Government Association has developed by slow degrees a modest legislative program affecting the structure of county government. The Association appeared before the consti-

tutional convention with some good results, so far as what was written into the new constitution was concerned. But, of course, that work all fell away when the constitution died at the polls.

We have in our program a constitutional amendment to remove the shackles which the constitution fastens upon county government, so as to give free play for future development.

We have a bill which proposes such re-organization and simplification of county government as is possible under the present constitution, including the election of a small board of supervisors, elected at large, with a county manager appointed by them, and he, in turn, having appointive power and continuous control over the other county officials who are not elected under the constitution.

We also have a bill proposing a statewide investigation by a state commission into the conditions of county government throughout the state.

That, in brief, provides the background for our evening discussion and for the work to-morrow. Any one, whether a member of the Association or not, is welcome to participate in the discussion here in Syracuse, and the formality of joining the Association, as I have already said, is a very simple and not very painful one. We will be very glad, indeed, to have all of those who are not members already, join before they get past the Secretary.

ADDRESS

"COUNTY GOVERNMENT—A PROBLEM IN LOW VISIBILITY"

RICHARD S. CHILDS, Secretary National Short Ballot Organization

I understand that in Onondaga County there is some dissatisfaction with the county government. It seems that a certain sanatorium has been built which ought to have cost \$200,000, but which did cost \$600,000. Certain people in the county are casting about for a remedy for such states of affairs so that such a thing will not happen again, and in the local paper I read of the remedy that is proposed and a very typical American remedy it is. The editorial says, "We must have a county auditor or comptroller elected by the people. If we had had in office two years ago such an auditor or comptroller chosen on his merits and record by the voters, the chances are ten to one that the tuberculosis sanatorium would have been honestly constructed and the county would have been spared a heavy affliction and a burning disgrace."

Now, I do not wish to disparage that remedy, for it has some merit, but it shows an undue faith in machinery, a faith that ought

to have been shattered by the fifty years of experience which we in America have had with such devices of government. Ever since the days of Andrew Jackson the pet cure for corruption has been the creation of additional independent elective offices.

Another county in this state created the office of county comptroller elective by popular vote, clothed with ample power to stop illegal expenditures. The office promptly became one of that long list of minor offices on the ballot to which the people paid little or no attention and the reformers were dismayed to see the office promptly filled by a ringleader of the very gang they were trying to get rid of.

One of the leaders among the reformers then discovered that in certain counties of New Jersey the chairman of the board of supervisors, or board of freeholders as it is called in that state, was given veto power over the actions of the board. He pronounced that a splendid idea and advocated it for his county, and I have heard him say passionately that if he by any chance should ever get into that office and wield that power, he would tie up the county so tight that it wouldn't be able to move.

He had in addition still another remedy to make assurance doubly sure. He discovered an ancient office that had been in use somewhere in the middle west a hundred years ago called "Censors of the People." He proposed to revive that office and elect by popular vote two censors of the people who would have power to report on the action of the other county officials and give them a good scolding in public whenever they deserved it. And so in his idealistic conception the people were to elect a board of supervisors, the chairman of the board was to undo their work with his veto, the comptroller was to have an additional veto on their financial action and the censors of the people were to be empowered to scold them and the state comptroller's examiners could no doubt be relied upon to censor the censors.

Political Machinery Not a Remedy

Modern political science discards all this as rubbish; mere complication and entanglement to make confusion worse confounded. The moment you set up one man to watch another man you split the responsibility and give the opportunity for one official to hide behind another. Each official blames the other and each is really only half to blame. Municipal reformers have been worrying their way through this situation for years and they have worked out sound principles of reconstruction, principles which find their fullest and final expression in the commission-manager form of municipal government. We who stand today as pioneers in the

field of county government reform ought not to need to go through a series of floundering experiments, but should proceed to accept and apply the working principles of reform which have been so laboriously evolved from the experience of the cities.

Now, what are these principles which the cities have learned? They are, after all, the simplest common sense. We, the people, cannot trust any public official or private authority to watch our public officials for us and preserve us from harm and spoliation. No machinery can be devised that will automatically produce good government. Accordingly the question becomes, "How can we put the rank and file of the people into full command of their county government?" Most Americans assume that because the people elect all the county officers they are thereby placed in full command of the county officers, but such is far from the truth. If the people elect a county comptroller, for example, they may in fact not control him at all. They are quite likely not to know whom they have voted for on the day after election day or on election day itself for that matter. Stop Mr. Average Voter as he is about to enter his election booth and ask him "whom are you going to vote for for county clerk, or for county comptroller, or for supervisor?" and he will say "I don't know—I am going to vote for the Republican, whoever he is." If he happens to be unusually well informed about public affairs he may say "I am going to vote for Mr. Smith." Ask him why, and he will say, if he is honest, "because he is the Republican candidate." Not more than one man in a hundred will be able to say honestly, "I am going to vote for Smith because to such-and-such an extent Smith is qualified for the office, whereas his opponent, Mr. Jones, has such-and-such disqualifications for the office." In other words, so far as these minor county officers are concerned (and practically all county officers are minor officers), one voter in a hundred is marking his own opinion on the ballot, and the other ninety-nine are blindly accepting the opinion of that little group within the party machine which places the party label upon candidates. By slavish adherence to the party label the people transfer the control from themselves to the party machine and proceed to go off and attend to their necessary private affairs until the next election. They do not love the political machine. They know that the machine is a vague, loose and formless thing; they do not know exactly who runs it; they know it is not legally responsible for its acts and that it is not incorporated. Nevertheless they say to the machine, "here, take hold of this county government and run it for us; we are busy." Thereby our people show their good sense. Our people are busy, properly busy. Sometimes we say that if all good citizens

would go into politics, things would be better. Yes, politics would be better, but their bread and butter would be a good deal worse. Mr. Average Citizen is perfectly right when he says that he has a good many things that come before county government.

The Power of the Short Ballot

Modern political reform recognizes this simple fact. It does not call it indifference, for it is not indifference. It is merely necessary preoccupation on the part of the people. Accordingly, modern political science bestirs itself to invent forms of government which will operate with the motive power of citizen interest that is available. It undertakes to make government so primitively simple that it will easily come within the restricted margin of attention which the people can be relied upon to give.

That means first of all, the Short Ballot—having so few men to elect that Mr. Ordinary Everyday Voter who does not go into politics can easily keep track of all the candidates and know exactly what he is doing on election day, voting his own opinion as to every single office, and in no case feeling obliged to fall back on a ready-made opinion prepared for him by an interested party machine. There should be not more than five offices voted for at each election.

Secondly, all the offices which remain elective should be important enough, picturesque enough, vital enough and political enough to succeed in commanding the attention of the voter. You might have only two offices on the ballot—if one of them was the coroner, people would not be interested in it at all and would with perfect indifference vote for any candidate who wore the Republican label, or the Democratic label, as the individual case might be.

And thirdly, the county government must be unified, for it is easier for the people to control one government than seven.

In municipal government we are having a most gratifying experience in hundreds of cities with the results of this truly democratic policy. I refer, of course, to the commission form of city government. This form of government vests the control in a single board of five men. The ballot is short, every office on it is important and succeeds in commanding full popular attention, and the power is completely unified. There is nobody who has a right to veto what the commission does—nobody whose separate approval or O. K. is required before they can proceed, no one to say them nay if they try to give away the people's money, nothing to get in their way if they wish to do wrong except one overwhelming fact, i. e., that they are intensely conspicuous by reason of their great power and responsibility. Consequently everybody sees them

and knows them. Public attention focuses itself sharply upon them. There is no sheltering low visibility. They can't get lost in the shuffle, because there is no shuffle. To do wrong under such circumstances would be as unsatisfactory as committing burglary with all the lights turned on and all the family and the neighbors standing around to watch the operation.

How many burglaries would be practiced under these distressing circumstances of pitiless publicity.

Direct Responsibility to the People Needed

Now to apply these principles of conspicuousness, simplicity and unity in county government is not difficult in theory, although it is a very awkward thing to undertake in practice, because of constitutional difficulties and popular prejudices. The county is partly the agent of the state and partly the agency of the local community. In so far as it is the agency of the state, it ought to go out of existence as a political entity. The state ought to appoint its own agents and execute its own laws, pay its own bills, and face the public resistance to the execution of the laws it makes. We should copy in our state government the federal system under which the president appoints the judges, the federal marshals and the federal district attorneys, constituting a great department of justice which enforces federal laws from coast to coast, and under which system we live with less complaint than under the irresponsible and decentralized state system. In New Jersey they come very near to copying the federal system, inasmuch as the judges and the district attorneys are appointed by the governor, and while the sheriff remains locally elective, there is machinery which makes it possible to do the business without the sheriff when he fails to co-operate in carrying out the law.

With the judicial system thus transferred completely to the state, we have left merely a local government and our only problem is to make it responsible to the local people. Elect a board of supervisors either locally or at large, provided only that it be a comparatively small board of five or seven, so there will not be too many for the people to keep track of and so that the power will not be so minutely subdivided as to diminish the visibility of the individual member in the eyes of his constituents. Let this board then be a real governing board with complete authority to levy the taxes, appropriate the funds, appoint all other county officials with power to discharge them at any time, and in short, be completely responsible for the county government unto the uttermost detail. As a matter of practical administration they will find it desirable to have a chief executive under them and responsible to

them. This chief executive or county manager, as he might be called, to be on the job all the time as the sole agent of the board of supervisors, co-ordinating the administration and making all the subordinate officers work in harmonious co-operation toward the common end. To be a member of such a board of supervisors would be a real honor and satisfaction. About nine-tenths of the red tape which now entangles the county officers would promptly become unnecessary. Instead of being a string of semi-related units, the county would become almost a military organization, each officer responsible to his superior, the county manager, and the county manager in turn responsible to the elective supervisors, who in their turn are responsible to the people. As a practical matter, the transfer of the judges, district attorneys and sheriffs to the care of the state is unconstitutional in this state, and impossible for years to come. The creation of a compact board of supervisors, however, with a county manager under them, controlling and directing the minor county officers, is within reach, and this County Government Association has drafted legislation to make this plan available for any county that wants it.

Greatly Increased Service Would Result

Once equipped with such a simple, flexible, unified, responsible, democratic piece of machinery, the county with only normal attention on the part of the people, will begin to develop efficiency. As the people develop an increasing confidence in it, the county will grow in importance. Our counties at present do not do a fraction of the work which they would be entrusted with if the people had confidence in them. The county ought to do a lot of the work which is now being done at long distance by the state. It also ought to do a lot of the work that is being done on a scale too small for efficiency, by the townships and the villages. The county ought, in most cases, for example, to be the unit for the administration of public health, including the prevention of epidemics, the lowering of the death rate and the care of the sick. We ought to have county public libraries with branches in every hamlet. Who would put faith in a county detective bureau under present conditions? But if we could trust the county to be efficient, it is the logical unit for the police and the preservation of public order and prevention of crime outside of the city limits. Every county ought to have a county plan just as cities have a city plan. The county would be a more convenient unit for the administration of schools, particularly of high schools outside of cities. It would be a logical and convenient unit for the assessment of property for taxation purposes and for the collection of all the taxes and the distribution

thereof to various other units of government. It would be a logical repository for control over the public roads, water supply and public utility franchises for all areas outside of cities. Agricultural counties ought to have their department of agriculture and their model farms with experts equipped to give prompt and neighborly assistance to the farmers to improve their crops and to market them to the best advantage.

But all such things must wait until we get an efficient county, simple and flexible in organization, obedient to the people rather than to political machines, and capable of getting out of its own way without stepping on its own feet.

Chairman Stilwell: Our next speaker is one well known to the Empire State, first as one of the leading senators in our State Senate, and later as president of the State Tax Commission, and generally as an expert in tax matters. One of his recommendations, I think, will appeal to a good many citizens of this city just at this time as we are going to pay our county taxes. As most of you know, we pay one per cent. more than the tax because the county has no means of its own to collect the tax. It makes the city its agent, and the city charges one per cent. for its services. President Saxe, as I understand, among other things, recommends a system of collecting county taxes which is simpler and less expensive. We will be glad to hear President Martin Saxe.

PRESIDENT SAXE

Mr. Chairman, Ladies and Gentlemen: Mr. Childs in his paper indicated to you the possibilities of a county plan of tax administration. The paper I have prepared for your consideration deals specifically with that subject.

ADDRESS

"A PLEA FOR THE COUNTY PLAN OF TAX ADMINISTRATION IN NEW YORK"

HON. MARTIN SAXE, President of New York State Tax Department.

Especially to those interested in improving the efficiency of county government, the county plan of tax administration, instead of the town plan under the present system obtaining in our state, should appeal with emphasis. The town plan in its traditional form is now only to be found in such states as Connecticut, Delaware, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New York, Rhode Island and Vermont. The majority of our

states have adopted the county as the local unit, while others, where there is no constitutional mandate compelling the town plan, but local sentiment clings to it, have a combination scheme of county and town authorities in one form or another.

County Unit Broadly Favored

As the name implies, the county plan comprehends a central authority for the county unit in the assessment and collection of taxes for all purposes within the county; providing an official assessment-roll for the county upon which all taxes levied within the county are based, to the end that the assessed value of the property situated within the county unit shall be the same for all tax purposes.

Experienced tax administrators the country over decidedly favor the county system. Comparative studies of the two methods show that the town plan possesses all the disadvantages of the small unit for tax administration, while the county plan permits of an efficiency in administration in every direction which can only be achieved through the use of the larger unit of jurisdiction. Under the general property tax the assessment of property is of prime importance if equal justice to all taxpayers is to be attained. By dividing your state into small tax district units you cannot practically reach the desired result. The office of town assessor is of too little importance in scope and pay to warrant the individual effort which is essential to produce fair and equitable assessments; just as the assessors of the respective towns throughout a county vary in the performance of their official duties, so do the assessments of those towns vary from the standard fixed by law for the valuation of property for tax purposes. Hence, there follows throughout the county a startling lack of uniformity in assessment work.

What is an Assessor?

A New York assessor in order to perform his functions intelligently must at least possess a fair knowledge of the value of ordinary real estate, such as land and buildings, in his locality; also a knowledge of personal property values, tangible and intangible; a knowledge of the tax law as it relates to his duties; a working knowledge of the cost of construction of pole lines, steam and electric railroad lines and pipe lines; of power plant equipment, manufacturing machinery, etc., or access to authoritative advice on such technical property to guide him; he must possess sufficient mathematical knowledge to enable him to make the apportionments provided by the Tax Law. In rural districts he should have a

general knowledge of farm values, based upon the productivity of the various kinds of soil, together with a knowledge of the cost of farm improvements and of the value of up-keep as applied to farm and farm buildings. In urban communities his knowledge of values must run to building construction of still greater variety. In general, he must observe the changing values of real property, due to improved transportation methods, industrial growth, residential development and other causes. And yet he is elected because he is a good vote-getter in his town or village! Or, as sometimes happens, no one wants the job and the candidate has to be drafted for the service. He holds office for two years unless he happens to be favored with the four year term, which one of the board of three is permitted to enjoy. As to compensation, the Tax Law provides that he shall not receive more than three dollars a day, except in certain counties and in towns with assessment-rolls of ten million dollars and upward. Hence, it naturally follows that our assessor is usually a good fellow, possessed of more affability than the other kinds of ability required for the job. To retain his popularity he must not incur the ill-will of those who vote in his district, and he must pay respectful attention to the town supervisor, who is something akin to his political boss.

Now, I indicated the lack of uniformity in assessment work that must necessarily flow from such conditions, and here we find the root of the equalization trouble of the counties. The Tax Law calls for full value and our assessor is compelled to subscribe to the statutory oath as follows:

"We, the undersigned, do severally depose and swear that we have set down in the foregoing assessment-roll all the real estate situated in the tax district in which we are assessors, according to our best information; and that, with the exception of those cases in which the value of the said real estate has been changed by reason of proof produced before us, and with the exception of those cases in which the value of any special franchise has been fixed by the state tax commission, we have estimated the value of the said real estate at the sums which a majority of the assessors have decided to be the *full value thereof*; and, also, that the said assessment-roll contains a true statement of the aggregate amount of the taxable personal estate of each and every person named in such roll over and above the amount of debts due from such persons, respectively, and excluding such stocks as are otherwise taxable, and such other property as is exempt by law from taxation, at the *full value thereof*, according to our best judgment and belief."

Undervaluation Inevitable Under the Township Unit

But the Tax Law, recognizing the practice of undervaluation, also provides an alleged remedy by prescribing equalization between towns by the board of supervisors or a commission appointed by the board. So our kindly-disposed assessors lean towards their

neighbors, on the one hand, and, on the other, they harken to the whisper of the supervisor, who tells them to keep assessments down and that he (the supervisor) will see to it that the town secures an unwarranted rate in the county equalization, thus alleviating the town's burden of its share of state and county tax levies. I wonder whether those of us who take pride in the great American idea of justice and equality ever think of this amazing condition in American municipal government!

The Science of Equalization—As Practiced

In evidence of the allegation concerning county equalization, let me call your attention to a very recent report by a special sub-committee of the equalization committee of a county board of supervisors. It reads as follows:

"The report of your special committee on equalization, appointed pursuant to a resolution adopted at a meeting of the board held January 11, 1916, is herewith submitted:

"Your committee has proceeded on the supposition that it was the intent of the resolution providing for its appointment that it should gather data and information which would be of use to the equalization committee and the board in equalizing the assessments between the several towns and the county.

"For the information of those members of the board who are serving their first year as supervisors, and for the information of the citizens of the county in general, we deem it proper to review briefly the history of equalization in this country during recent years. For a number of years prior to 1910 the equalization of the county was made with little or no information upon which to base a proper and correct equalization. Having no accurate data to work with, the temptation was strong—and usually too strong to resist—for nine of the supervisors to combine against the remaining eight and equalize the county for the benefit of nine of the towns at the expense of the other eight, with little or no regard to justice. The amounts taken from and added to the towns were usually insignificant, and the principal result accomplished was to leave eight supervisors feeling that they had been unjustly imposed upon, while the other nine became puffed up with arrogant pride because they had 'taken care of their towns.' As the changes thus brought about made a difference to the towns of from fifty to five hundred dollars only, the whole performance verged upon the ridiculous. Since 1910 the board, having no accurate information upon the subject and knowing that all of the towns were under-assessed, and realizing that the bad feeling engendered by the foolish equalizations of the past interfered with other legitimate work of the board, has taken the position that the only thing to do was to consider all the towns as equally under-assessed. Therefore, there has been no equalization for the six years last past."

With several towns in a county, each striving to keep assessments down and their respective supervisors trying to secure high ratios in the equalization table, we have a condition of affairs resulting in appeals to the State Tax Commission for relief—all of

which would readily disappear under the county plan. For it is easily demonstrated by an anomalous illustration in this very state where our courts have pointed out most clearly the firmly imbedded strata of the town and village system in our fundamental law.

Real Assessment—Five Counties Under One Board

The city of New York, comprising five counties, is assessed for taxes by one board of assessors, known as the commissioners of taxes and assessments, appointed by the Mayor. This board reports an assessed value of real estate greater than twice the amount of the assessed value of the real estate of the whole state outside the city; in personal property assessments, including bank stock, it reports more than three times the assessed value of personal property, including bank stock, of the rest of the state outside the greater city. And if a five-county unit works well in that part of the state having the greatest taxable wealth, it would seem that the single county plan ought to work well elsewhere.

County Unit Blocked by the Constitution

Recent legislation indicates, too, the awakening of a tendency toward the county plan. In 1914 the legislature, responding to local desire in Westchester County, passed a tax administration act for that county. It provided for an elected or appointed board of assessors for each town empowered to make assessment-rolls for taxation, within their respective towns, for state, county, town, village or tax district purposes; such assessment-roll was made the official assessment-roll for every municipality in the tax district lying within the township for which the roll is prepared, so far as it relates to property lying within the limits of the municipality or other tax district; the town board of assessors to make the assessment required for each separate tax district in the town. It also provided for an elected or appointed receiver of taxes for each town to supplant the town collector, who was empowered to collect all state, county, town, village and district taxes levied within the town for state, county, town, village or any tax district or part thereof therein.

In 1915 Nassau County secured a somewhat similar act from the legislature, but it went further by abolishing the old town receivers and collectors of taxes and establishing a county receiver of taxes to be appointed by the county judge, county clerk and county comptroller; the county receiver to collect all state, county,

town, village, school district and other taxes levied within the county for the state, county, town, incorporated village, school district or other district or part thereof therein.

The courts declared these acts unconstitutional on the ground that they violated the home rule principle which secures the right of self-government to the smallest localities. In both of these acts the villages were deprived of their traditional right to select their own assessors and collectors, and in the Nassau County Act the towns lost the right to select their receivers or town collectors of taxes. So it has been decisively held by our highest judicial authority that under our present constitution, notwithstanding the advantages to be derived by centralization of certain local governmental functions, we must adhere to the plan of our forefathers until the fundamental law is amended to permit the changes which modern municipal development demands.

Judge Vann's Decision the Basis

To appreciate the sound reasoning of our courts in adhering to the home rule principle of the constitution, we must recall the constitutional development of the subject. In the Metropolitan Street Railway case, upholding the constitutionality of the special franchise tax amendment of the Tax Law, is to be found a highly illuminating opinion by Judge Vann showing by accurate historical treatment that local electors are possessed of certain inherent rights, with respect to the selection of local officers charged with the performance of certain official duties, with which the legislature cannot interfere. These rights are derived from Section 2 of Article 10 of the constitution, popularly known as the "home rule" provision. Judge Vann says:

"The principle of home rule, or the right of self-government as to local affairs, existed before we had a constitution. Even prior to the Magna Charta citizens, boroughs and towns had various customs and liberties, which had been granted by the crown or had subsisted through long use, and among them was the right to elect certain local officers from their own citizens and, with some restrictions, to manage their own purely local affairs. * * *

"The rights thus secured after a long struggle and great pressure, although at times denied and violated by the ruling monarch, were never lost, but were brought over by the colonists the same as they brought the right to breathe, and they would have parted with the one as soon as the other. The liberties and customs of localities reappear on a novel and wider basis in the town meetings of New England and the various colonies, including the colony of New York. The right of the inhabitants of townships and manors to meet at stated times in public town meetings, elect town officers and transact town business, was well established while we were a colony and was recognized by different statutes enacted by the governor, council and general assembly. * * *

"The business transacted at the town meeting related to highways, care of the poor and matters of purely local concern. It was confined to the affairs of a small district and was clearly separated from public matters of interest to the colony at large. The officers elected, generally by viva voce vote, were supervisors, assessors, collectors, constables, commissioners of highways and overseers of the poor. *The powers and duties of these officers were regulated by statute, but the right to select them resided in the people of the locality and was stubbornly insisted upon as inviolable.*

"Such was the state of affairs when the first constitution was adopted. While that instrument organized the state, it granted no rights to the people, but was their own creation, expressing the restraints that they desired to place upon themselves by preserving certain principles and methods of government which they wished to remain unalterable. Thus the Constitution of 1777 recognized local self-government as already existing, and continued and protected it, so that it could not lawfully be departed from without changing the Constitution itself. It provided that 'town clerks, supervisors, assessors, constables and collectors and all other officers heretofore eligible by the people, shall always continue to be so eligible' (Sec. 29). Sheriffs, coroners, loan officers, county treasurers, clerks of supervisors and justices of the peace were to be appointed (Sec. 26, 29). Thus our earliest Constitution did not create the right to elect the administrative officers of towns, but continued it as it had existed during the history of the colony while it was under the dominion of the English crown. The only local officers mentioned by name as 'eligible by the people' were town officers, and, in fact, almost all officers of other local divisions were appointed by central authority.

"The second Constitution, framed in 1821, continued the right by the general clause applicable to county, town, city and village officers, that 'all officers heretofore elected by the people shall continue to be elected; and all other officers, whose appointment is not provided for by this Constitution, and all officers whose offices may be hereafter created by law, shall be elected by the people, or appointed, as may by law be directed' (Art. 4, Sec. 15). Sheriffs, coroners and some other county officers were for the first time made elective.

"The third Constitution, drafted in 1846, continued the principle and expanded the right by the following provision.: 'All county officers whose election or appointment is not provided for by this Constitution, shall be elected by the electors of the respective counties or appointed by the board of supervisors or other county officers, as the legislature shall direct. All city, town and village officers, whose election or appointment is not provided for by this Constitution, shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof, as the legislature shall designate for that purpose. All other officers, whose election or appointment is not provided for by this Constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people, or appointed, as the legislature may direct' (Art. 10, Sec. 2). The same provision was carried forward, *ipsisimis verbis*, in our present Constitution (Art. 10, Sec. 2).

"These and other commands of the different constitution, when read in the light of prior and contemporaneous history, show that the object of the people in enacting them was to prevent centralization of power in the state, and to continue, preserve and expand local self-government.

"This was effected through a judicious distribution of the power of selecting public officers, by assigning the choice of local officers to the people

of the local divisions, and to the people generally, those belonging to the state at large. The management of the local political business of localities, whether as large as a county or as small as a village, is intrusted to local officers selected by the communities where those officers act and through which their jurisdiction extends. The principle of home rule is preserved by continuing the right of these divisions to select their local officers, with the general functions which have always belonged to the office. Unless the office, by whatever name it is known, is protected, as the courts have uniformly held, the right to choose the officer would be lost, for with his former functions gone he would not be the officer contemplated by the Constitution, even if the name were retained. Unless the office or officer is mentioned *eo nomine* in the Constitution, the name may be changed or the office abolished, provided the functions, if retained at all, remain in some officer chosen by the locality. Local functions, however, cannot be transferred to a state officer. The legislature has the power to regulate, increase or diminish the duties of the local officer, but it has been steadfastly held that this power is subject to the limitation that no essential or exclusive function belonging to the office can be transferred to an officer appointed by central authority. The office may go, but the function must be exercised locally if exercised at all. While no arbitrary line is drawn to separate the powers of local and state officers, the integrity of the local office is protected, with its original and inherent functions unimpaired. It is interference, whether direct or indirect, with the vital, intrinsic and inseparable functions of the office as thus defined and understood that the Constitution prohibits. * * *

The County Unit Combines Home Rule and Convenience

And in line with those legal principles enunciated by Judge Vann, the courts held that the Westchester and Nassau County tax acts violated the Constitution. The simple fact is, however, that the small unit of colonial days has by advanced means of transportation and communication expanded into a much larger unit of public convenience and our governmental system must be permitted to adapt itself to that change. In other words, if it is desirable to cling to the traditional principle of the right of local self-government, let us at least make it feasible to extend the physical area of the local unit to the dimensions of modern public convenience.

It being conceded that larger tax units afford the opportunity for better administration of taxation, let us make it possible to have such larger units and yet secure to the electors thereof the traditional right of selection, directly or indirectly, of the administrative officers of local tax districts. By so doing we are preserving the "home rule" principle within a modern tax district area as distinguished from the confines of a city, town or village.

The Constitution to be Amended

In the constitutional convention of 1915, the committee on taxation made a study of the condition of our tax law, as limited by constitutional provision; and recommended a tax article for em-

bodiment in the constitution to remedy the resulting situation. That article was adopted by the convention, but submitted separately from the body of the proposed constitution. Very largely on account of gross misrepresentation by certain interests as to the effect of the tax article, that proposed amendment was defeated by an even greater adverse vote than were any of the other constitutional propositions submitted at that election. While in the main the tax article of 1915 would have served the purpose for which it was intended, it was the product of compromise and so drawn as to incur a combined opposition. The state tax commission, appreciating the vital necessity for constitutional amendment, and believing that the situation will never be settled until it is settled right, has given further study to the subject, and has produced a new proposed tax article which will be submitted to the legislature of 1917 for its consideration. The tax commission's constitutional article reads as follows:

Section 1. The legislature shall establish a plan of state and local taxation and provide for the complete administration thereof. Local tax officers shall be residents of their respective tax districts, which shall be defined by the legislature, and they shall be elected by the electors thereof or appointed by such authorities within the district as the legislature shall designate for that purpose. The jurisdiction, powers and duties of local tax district officers shall be prescribed by law.

Section 2. Hereafter no exemption from taxation shall be granted except by general laws and upon the affirmative vote of two-thirds of all the members elected to each house.

It is to be noted that the foregoing article preserves the principle of "home rule" and maintains the local tax officer as a constitutional officer, but places him in a class by himself. It gives him no inherent constitutional powers. This will permit of reasonable and intelligent centralization by legislative enactment in response to local demand as it may from time to time manifest itself. Under such a constitutional provision this state will be able to take its place in line with those states which have set the pace in the improvement of tax administration and under it a county plan of centralized assessment and collection of taxes will be legally feasible. Furthermore, the commission's proposed tax article makes possible the development of an intelligent and comprehensive tax system for the state to meet modern conditions of taxable sources. No state can confer upon its people the true measure of happiness to which they are entitled until the burden of the cost of government is laid equitably upon those who can and should

contribute, and upon the property within its reach, without encroachment upon the material prosperity of the whole community.

DISCUSSION

Chairman Stilwell: Now, gentlemen, you have two papers before you. Do you desire to discuss them?

Mr. Cartwright: Mr. Chairman, I am going to mention the last paper first. And before speaking specifically of the paper, I must own up publicly something about its author. In regard to the president of the State Tax Department, when he was appointed to the position that he now occupies by the governor and state authorities, I was a little skeptical about that appointment. In fact, I was asked about it and I said that while he was most assuredly a competent man—a qualified specialist on taxation—I thought he was too much of a politician, and was afraid he was not the man that we wanted for that job. But since he has been in that chair I have done nothing but take off my hat to him and frequently write him congratulatory letters. Instead of making suggestions, all I can say is, "Go ahead."

Mr. Saxe: I'd like to impress upon you, Mr. Cartwright, that the men that make the best administrative officers are usually the most practical politicians.

Mr. Cartwright: That much, at least, is duly impressed, Mr. President.

Now, illustrative of the plan that is advocated here in both of these papers, for centralization of county administration, centralization in the hands of a responsible head, and doing away with the various features wherein county, village and township government overlap and reduplicate one another's efforts so thickly that they tread on one another's toes, I want to mention two experiences of ours in Westchester county, where my office is located, and where my labors are centralized. I am not a resident there. I am there as an investigator for the County Government Association and for the Westchester County Research Bureau.

We have made a number of investigations of county government and are constantly impressed with the great number of officers that are doing the same work over and over again. For instance, consider the judiciary department, including the county courts and city courts, the village magistrates' courts and the justices of peace of the towns. They are all paid at public expense either by salaries or fees. As I was surveying this governmental department, it seemed to me, without going into a minute calcula-

tion of the amount paid to these officers, that we could combine the county court with the supreme court, which operates in the county both as a court of original jurisdiction and as a court of appeal from the lower municipal courts. This court, without extra organism, could do the work of the county court. Then we could set up a circuit court of inferior jurisdiction, to sit continually about the county, whose judges should be trained members of the bar. They would handle ably the cases now brought before the local justices of the peace, who are notoriously not lawyers, and usually versed only in the amount of fees that they may charge. I wondered how much that would cost as compared with the present system.

I wondered how much it would cost to centralize the collection of taxes after the manner depicted here to-night, instead of leaving it in the hands of the 220 or more collectors whom I found to exist officially in Westchester County.

I wondered how much it would cost to combine the administration of the poor law with the administration of the penal duties of the sheriff's department, and to give efficient administration to both in the hands of a county commissioner of charities and correction, who should have power to control poor relief (instead of serve some two or three hundred officers commissioned at present to commit poor to the almshouse) and to exercise scientific penology.

These and many similar questions as to the wastefulness of the present system came up for our consideration, so our Bureau, the Westchester County Research Bureau, said that it would be a good plan to investigate these questions. The local Chamber of Commerce approved, and its president, Mr. Henry R. Barrett, said he would like to know himself, both what the present system costs and what a centralized system would cost.

Our county budget was at that time, with the state tax added to it, about a million and a quarter dollars a year, and there was to be added to that the cost of the local villages, the townships, the school districts, and the various taxes of the districts for water supply, lighting, drainage, etc. After we had made the calculation, I asked Mr. Barrett to estimate about what he thought the twenty-three villages, whose budgets ran from \$15,000 a year up, the nineteen townships and twenty-three villages and one hundred and twenty-three school districts of the county government would cost. We had examined the records that were available, which were in pretty bad shape, some of them. Municipal bookkeeping in rural localities in New York State is very bad. But we managed to get

a fairly accurate estimate, a fairly accurate calculation of what it all cost, the annual aggregate of all of the different municipalities in Westchester County. Mr. Barrett said he would judge that it ran up to from five to eight millions of dollars.

I said that is a very good guess. I then asked the Chairman of the Board of Supervisors what he thought, and he said, possibly from three to six millions of dollars. That was his guess. I said, "You are guessing very well." Then he asked, "How much does it cost?" and I answered, "Twelve million six hundred thousand dollars."

I made the statement two years ago in a conference of this association that Westchester County could be administered for one-half of what it costs, including all the municipalities that we have mentioned. I do not remember the exact figures of those calculations, but we could supply those inferior circuit courts that I have mentioned, in Westchester County, for about \$35,000. But under the present system we pay our seventy-six justices of the peace and our twenty-three village magistrates and whatever other local justices there are over \$72,000. It would be 35 as against 72.

We found that the collection of taxes under the system outlined could be handled in Westchester County for less than \$40,000. We paid for the collection of taxes before this new tax law was adopted from \$175,000 to \$250,000 a year, and so on it goes through the various departments. Our new tax law, if the courts had not declared the village part of it unconstitutional, would have saved us from \$50,000 to \$150,000 a year. It provided that a single tax collector for each township should handle all the taxes. But the decision of Judge Seabury of the Court of Appeals, has cut out the village collections. Consequently we have to go on electing twenty-three village receivers and pay them. And that adds to the expense. Still the new act saves perhaps \$50,000 a year. It is estimated roughly that it does that even with the provisions annulled as to villages.

The facts give an illustration of what can be saved in actual money. And in figuring out the total cost of the county as near as we could estimate, we decided that the government could be handled ably for \$7,000,000 at the outside.

Now if you put it under the simplified system and the small board of supervisors as suggested by Mr. Childs, and with a manager who can handle the whole project as a corporation manager in a business corporation would, you might simplify it even further than that. You must first get out of the way this bugaboo of the necessity of having home rule in every little detail. I believe in

home rule, but you can easily carry that too far. You can carry it to such an extent that it becomes a stumbling block and is right in the way when you want any big improvement. There are many things the state can do for us better than we can do ourselves.

Mr. Childs: I would like to ask Mr. Saxe if the commission looks ahead beyond the constitutional amendment. What machinery will you set up in the county or in the new districts to handle this? Who will have the power to carry it out?

Mr. Saxe: In answer to that question, Mr. Childs, I will say that we have worked out no final machinery to be adopted, for this reason: It will take at least three years before the constitutional tax article can become effective. It has to go through two new senates. Of course it will strike one this year, and then it will have to wait a year, skip a year, and strike a new senate, and be adopted by the legislature before it can go to the people. So there is plenty of time to devise methods.

We would suggest, however, a small board of assessors for the county, with deputies for the towns, men who would be paid enough so that they could devote their entire time to the work, and do nothing else. Or else you could have a county supervisor of assessors, with power over assessors, and have them appointed, too, in the smaller municipalities of the county. There are various plans, as we find from a study of those in operation in the western states where they have made considerable advance.

In the State of Wisconsin, and this is very interesting, where they have the same home rule provision in their constitution as we have, copied verbatim out of our constitution, their highest court, corresponding to our court of appeals, held that the home rule provision did not mean what the court of appeals of this state says it meant, according to the opinion of Judge Vann in the Metropolitan Street Railway case, which was the basis of Judge Seabury's opinion in the Westchester County case, and the judge of special term in the Nassau County case. They held that the home rule principle did not go as far as that, or mean what Judge Vann says it means. Personally, I am of the opinion that Judge Vann is right. I think that is very sound law. Being a lawyer I suppose I have the lawyer's undue respect for the decision of the court of appeals, because we cannot do anything more than cuss it when we don't agree with it. And therefore there is nothing for us to do but to try through a constitutional amendment. Out there in Wisconsin the way they got control over the local assessors is very interesting. Although they held under their constitution that they could take

away their powers and they could elect them, or do anything they wanted to about it, local sentiment was such that they did not dare to interfere with it. It is one thing to have a constitutional provision, but something that is a good deal stronger than that is the sentiment of the community, because after all it is sentiment that makes our laws. The written law is merely a concrete expression of what the community wants and believes. So it is the sentiment of the people, after all, that is the strongest anchor that we have.

Now the way they got around this local sentiment was very interesting. They wanted to get control over these local assessors, so as to see to it that they assessed properly at full market value. It came about in this way: It seems they wanted an income tax in Wisconsin, and they had a very able tax commissioner at the head of the state department. He advocated the income tax. That was adopted. Then he had to have machinery to put it into operation, so he got what he called a county supervisor of incomes. A county officer whose business it was to inquire into the incomes of the citizens of the state. Now, in order to know anything about the incomes, he had to get information with respect to the value of property in the county, and in order to have assistance they made the assessors subordinate officers of the county supervisor of incomes. In that way they got control over the assessors before they knew it, and they then provided that the assessor could be removed if he did not obey the law or the order of the commission.

When your town assessors know that there is some power over them, they are perfectly willing to do their duty. Of course now, when the local assessor in this state knows that he is made to listen to his town supervisor, who says that he cannot be elected if he assesses full value—and the supervisor generally knows whether he can be nominated—he is going to listen a little more to the supervisor. And when it comes to the removal of your town assessor in this state you have got a very different proposition. He is a constitutional officer and you have got to go to the appellate division of the supreme court and make out a most horrible case to have a town assessor removed, and so they are not removed. Sometimes they give up in disgust and sometimes they hang on, but we have got a condition that is fast becoming intolerable because of the quandary in which the local assessor is placed through his own inherent situation. Take the property of public service corporations, railroads, telephone companies, public utilities of any sort. When their properties are situated on the highway or cross the highways they are assessed by the state tax commission, and

we have a Bureau composed of expert engineers who go out and value those properties. Before I became president of the commission I had something to do with working out a rule for measuring the value of special franchise property; as referee of the old Brooklyn City Railway case I laid down the first rule which was adopted by the courts and became a law for the measuring of franchises of public utilities, but I did not know anything about their tangible values. I am not an engineer. I could not go out and make a valuation of their property, and yet with respect to their property that is not situated on the highway or on the street or public waters, the local assessors have got to value it. Now how can the local assessor do it. He cannot do it. Under the law he has got to furnish our commission with information with respect to that property, both in and out of the highway, so that we can test the reports that are made by the corporations. The assessors throw up their hands. Of course they cannot give us that information.

What is the use of having a legislature grinding out laws telling them to do this and do that, when you haven't got the men in the first place? That is what makes our government inefficient. Why we are amazed at the efficiency of Germany. I pointed out at the last state tax conference that when Germany was about to go to war the Prussian Government desired to ascertain how much agricultural products could be counted on in Prussia to sustain the people for a certain time, and they went over and asked the Prussian tax department which told them within a short time how much every acre in Prussia could produce and what it was producing. That is the efficiency of the German Government. That is the kind of thing we have got to contend with some day if these powers in Europe go on developing as they have. Now, how are we going to do it. By clinging to these antiquated notions? We have got to wake up. We have got to get down to business all along the line.

(END OF DISCUSSION.)

Chairman Stilwell: I will repeat the announcement before you go, that the conference will reopen in this room tomorrow morning at 9:30.

The conference was then adjourned until Friday morning.

SECOND SESSION

Friday Morning, December 15, 1916

ALBERT ECKEL, Chairman.

[The second session of the conference was opened in the South Gallery of the Onondaga Hotel. The chairman of this session was Albert Eckel, former supervisor of Onondaga County, and vice-president of the County Government Association for Onandaga County. Mr. Eckel said:]

For the convenience of our speakers, some of whom come from a long distance at great personal inconvenience and expense, we have altered slightly the order of events on our printed program. The first address will be the paper, "County Control of Roads under State Supervision," by Mr. Benjamin Rice, Deputy Commissioner of Highways of the State of New York. I have great pleasure in introducing Mr. Rice.

MR. BENJAMIN RICE

Mr. Chairman and Gentlemen: I feel that Commissioner Duffy owes you an apology for sending me here to try to fill his place, but owing to business in connection with highways he is detained in New York. I was on my way from Albany to Binghamton yesterday afternoon when I received a dispatch from the commissioner that he wished me to attend the meeting at Syracuse this morning. I immediately took the D., L. & W. for Syracuse, not knowing what was coming off or what was expected. And up to this time I did not even know the subject I was to talk upon. Fortunately, he has forwarded his paper on to me.

Four Classes of Highways

I see you mention "county roads." I think perhaps it might be well to have an understanding as to the different types of highways or classes of highways in the state, because in talking with your secretary this morning he mentioned one kind of road while I was talking of another, and I was not just sure whether he meant what he said, or whether he didn't know the difference. (Laughter.) Under the highway law we have four classes of highways. "State highways" are paid for entirely by the state. "County highways" are paid for by the state and the county together. "County roads" are roads that are built under a special act and can only be built in counties adjoining cities of either the first class or the second class. That act was passed a few years ago. It provides that

such counties are to receive 50 per cent. from the state for maintenance. There are only seven counties in the state that can build what is known as "County roads," viz: Nassau, Westchester, Rockland, adjoining the city of New York; Onondaga, Erie and Monroe, each containing a city of the first class, and Franklin County. The fourth class is what is known as the "Borough" or "Town highways." This class constitutes my own department. But my connection with the construction and maintenance is such that I know very little perhaps in regard to that end of the game. But that outlines our four kinds of highways as recognized by the law. And now I wish to read the commissioner's paper. If there is any question raised that you would like to ask about, I would be pleased to answer, if I can.

ADDRESS

"COUNTY ADMINISTRATION OF HIGHWAYS UNDER STATE CONTROL"

EDWIN DUFFEY, New York State Commissioner of Highways

At the outset it may be well briefly to give a history of the highway law of the State. Any discussion of the highway law should have in mind that one part of the law has reference to the building of the so-called system of state and county highways; the other part has reference to the so-called town highways.

Evolution of State Highway System

Upwards of ten years ago the idea of building a state system of highways took form. In response to a general demand for such a system, the necessary steps were taken for the raising of the fifty-million bond issue. The state determined at that time upon the building of a great system of state highways. The highway laws consisted of a great mass of separate, oftentimes inconsistent, statutes, nearly all of which had reference to the ordinary town or dirt roads of the state. No system of state building could be indulged in without a general revision of existing statutes and the addition of many provisions which would create the machinery for such construction. As a consequence, what might be called the present highway law was then created, and that law has remained the same, with minor changes and additions, until the present time. The law was drafted by a commission, of which former Commissioner Hooker was a member, and was the result of upwards of a year's continuous study of the subject.

10,000 Miles for \$100,000,000

When the state system was first proposed, the idea was to build under state control an improved system, the total mileage of which would be something over ten thousand miles, and all of which were to be built under a plan by which the state paid specifically one-half of the cost, the county one-third, and the township the remainder.

It was thought that the first fifty million would complete this proposed system. The new highway law took effect in January, 1909, and at that time the first fifty million was available for use. At a later time, because of the fact that the highways being built were scattered generally throughout the state and were not, with rapidity at least, making any kind of a connected system, it was determined that trunk lines should be created by law, which should cover in a connected way all the important sections of the state. These were called state highways and were to be constructed wholly at state expense.

The whole of the second fifty millions, by express provision of law, was to be expended twenty million for the completion of the state routes and thirty million for the building of county highways. It should be borne in mind in considering the subject of the state system of highways that, on the one hand, the state pays the entire cost of the trunk lines and continues to complete at joint cost to state and county the county system of highways originally laid out; the division of cost of which, however, is now paid by the state and the county instead of the county, state and town.

All Under State Control

A considerable portion of the highway law provides the machinery for the construction of and payment for such roads. It is not necessary to set forth anything pertaining to this machinery here, save briefly to allude to the fact that in the case of county highways the initiative is taken by the county in petitioning for the construction of such highways. After the preparation and approval of plans therefor by the state commission, the county in due time is called upon to appropriate its share of the cost. Speaking generally, the whole subject of the building of state and county highways is a state function, all the work being under state control. Even the system of county highways, which, in the first instance, is laid down and prescribed by the county, must be ap-

proved by the state commission. It may be interesting to say in this connection that the state department at the present time is making a determined effort to complete those portions of the state highways which will complete a connected system, and is working with the counties so as to get their systems determined upon and built in such a way as to supplement the state system.

The difficulty lies in the fact that the moneys for state highways are insufficient in nearly all the cases to complete the state highways laid out, and this same situation exists with respect to the county highway money. The desire for improved roads throughout the state is at the present time so great that one would be rash to predict what the people of the state will do hereafter toward further building of such a system when the second bond issue money is exhausted. When this event happens, there will be many portions of state highways and a considerable section of county highways unprovided for.

It is the belief of the department that with the addition of the so-called Federal aid roads, properly located with due regard to the existing system, the state will have a very complete, connected and comprehensive system of highways, even though all the mileage originally contemplated will not be built.

The State Pays for Maintenance

This, then, is the so-called system of state highways of the State of New York. The highway law provides that the state shall pay the entire maintenance cost of both state and county highways. Assuming that this continues to be the policy of the state, we will find ourselves in due time with our construction money spent and the system above outlined as near as possible completed, and this function of state activity, namely, the construction of highways, at an end. A continuation of the present policy of the state will require it to maintain the system as built, but this will be wholly a state function.

It has been suggested that the maintenance be turned over to county authorities. In my opinion, any such plan would be a step backward and in all ways unwise. When the present available moneys are exhausted, the state will have invested nearly one hundred and twenty-five million in its roads, and it will always be of the highest interest to it that this system be kept uniformly in good repair, and in no way be subject to county determination, which would inevitably lead to satisfactory maintenance in one county, and, for various reasons, economic included, would lead from time to time to just the reverse in other counties.

70,000 Miles of Town Highways Under State Control

In the case of the town highways, we have something over seventy thousand miles. The relation of the state and locality in these roads is wholly different. As to the state, its attitude is founded upon an entirely different principle. Prior to the enactment of the present law, the old labor system was generally in vogue. Under the present statute, this has been superseded by the money system. It is the theory of the statute that in the first instance the town shall, with moneys duly raised, care for its town highways. The town takes the initiative. The state does not expend the money, but by reason of its policy contributes to the maintenance of such highways (in 1916 the state's contribution was about two million). Complete powers of supervision and audit are imposed upon the state over the town expenditures, which, of course, include the moneys raised by the town and the state's share.

Extensive and adequate provisions are contained in the law for the maintenance of these highways in the nine hundred towns of the state. Provision is made for visitation and the department provides district supervisors to the number of nine, whose duty it is in all ways to watch out the proposed activities of the towns as to this maintenance. The department approves in advance the details for proposed expenditures, and after expenditure provides for audit. This part of our work is most actively carried on and the system has proved satisfactory.

Save in minor details, the provisions of the law seem adequate and its practical working out is gratifying in a high degree. Occasionally a disposition has been shown in counties to find fault with the uniform accounting system, but I am glad to say that in the every day working out of this statute it has found a cheerful compliance on the part of the towns generally.

Cooperation Between State and Municipalities

As the result of the harmony of action thus encountered, a most surprising amount of permanent improvement has resulted. Thousands of permanent culverts and hundreds of substantial bridges have been built. In the latter case, the law provides that the plans shall be submitted and approved by the department. In many cases the bridge department, at the request of towns, has prepared complete specifications for bridges for these municipalities.

In particular, during the last two years, progress in permanent building has been most encouraging. In 1915 the townships built

over four hundred miles of macadam roads and five hundred of gravel. All told, up to this time, the towns have put in something like four thousand miles of macadam and nearly six thousand miles of gravel highways. There is no doubt but that they have been encouraged to this by the liberal appropriations made by the state.

My experience is that the towns generally throughout the state, when proposing to spend money upon the care of their highways, welcome the advice of the state department, and in innumerable cases ask for it. In doing this they inquire as to the intentions of the state regarding the state and county highways, and frequently plan their progress to supplement such system. This co-operative feeling is being encouraged by the department.

Roads are needed for commercial purposes everywhere. There is no longer any doubt anywhere in the state as to their value. I may safely say now there is a most satisfactory co-operation between the state, the county and the town in the execution of the requirements of the state highway law.

As I have in effect heretofore stated, its provisions throughout are extensive and comprehensive, and as far as the town highway part is concerned, it seems in the main to provide a working body of law satisfactory on the one hand to the state and seemingly entirely so to the town.

Having in mind the fact that the work of your Association has reference almost wholly to the relation between the state, the county and the town, with particular reference as well to the state supervision, control and audit, and having in mind that the portion of the law relating to town highways is that part which would appear to be of the greatest interest to your body, I have asked Mr. B. J. Rice, Deputy in charge of Town Highway Bureau, to attend your meeting and discuss with you in detail, if you so desire, any feature of this branch of the highway law.

DISCUSSION

Mr. Cartwright: It is clear, from the Commissioner's paper that state control makes one continuous system of the whole thing. I want to call attention to this point particularly. We who are so jealous of our rights in the good old Saxon home rule, so jealous of transferring some of our home powers into centralized offices, are afraid we will get worsted if we do it, and whenever we have to do it, we protest against invasion of our constitutional rights! But the state highway department very efficiently illustrates that in such centralization we get the

best of it every time. There is of course the exception that in the beginning of the system there is some chance for loose operation, and in letting contracts some money may be wasted. When that also is finally under centralized control, operating in full publicity, this feature disappears. There must always be full adequate publicity.

Mr. Rice: The Commissioner touches upon the government aid. It is his policy to use that government aid for connecting links in counties, whether it be county highways or state highways. That is left to his judgment.

Mr. Cartwright: Do you find that where the two systems compare, that is highways built under the old system, and highways built since this centralized highway scheme has been in effect, the latter plan gets better roads?

Mr. Rice: You have in Westchester County a fair sample of what is done under the Bureau of Highways. And that is true generally.

Dr. Hastings H. Hart: We have arrived at permanency in bridge building. But what is to be the permanent road, the road that will stand?

Mr. Rice: I am obliged to repeat that I do not represent the construction end, and I would be rather slow to answer that question. I do not know as you have any type of roads, regardless of whether it is brick or what it is, that is good for all time to come, without any maintenance.

Mr. Richard S. Childs: I would like to hear a brief description of the work of the county superintendent of highways as things are now arranged. Just what does he have to do? I have heard the statement made that he is unnecessary.

Mr. Rice: In my judgment the county superintendent of highways is a very valuable addition to your county government. The county superintendents throughout the state are a pretty solid, hard-headed lot of fellows with good judgment. In the first place, they have the power of approval of the plans for state and county highways, and before they are finally accepted they must be approved by or accepted by the county superintendent. That gives the county a representative on the construction end of the state and county highways. Then the county superintendent's duties are to advise with the town boards, or town superintendents, assist them in any such work as they may ask for in connection with bridges, highways, and any matters of that kind. I was a county superintendent for six years, and naturally I feel pretty friendly

towards them. Throughout the State of New York, in such counties as Westchester, Monroe, Onondaga, Erie, Albany, and all such counties as that, it would be almost impossible to get along without them. That is my judgment. Of course, perhaps some of you differ from that opinion.

Mr. Palmerton: In your judgment, what would be the result if the town superintendent was appointed by the town board? Do you think the town board would select a better public servant than the people themselves?

Mr. Rice: I think that in the majority of cases it would so work out.

Mr. Palmerton: Is there any effort on the part of the highway commission to have certain requirements, we will say certain rudimentary engineering requirements as prerequisite qualifications for the office of town superintendent?

Mr. Rice: I think not under the statute.

Mr. Palmerton: I know the statute does not make provision for it.

Mr. Rice: I do not think the commissioner has ever reached that point. It is an elective office and it would be pretty hard for him to bring that up.

Mr. Palmerton: Wouldn't it be well for the county superintendent to appoint the patrolmen that are placed on our roads and highways to maintain them?

Mr. Rice: It might be. I do not know. At the present time, the state commissioner of highways appoints all patrolmen.

Mr. Palmerton: Such men are not nominated, however, through the county superintendent.

Mr. Rice: No, the appointments are handled in the usual way.

Mr. Palmerton: Is there any possible way of getting rid of a town superintendent when he shows he is not efficient?

Mr. Rice: Charges can be preferred against him. We tried, I think, last winter when we were endeavoring to give the office a four-year term, to make him removable by the commission in some way, but it was hard to do anything with the legislature. They were afraid to touch it.

If there is nothing more, I wish to take this occasion to thank you for your attention, and also for the kindness of the chairman in calling on me early. I must say good-bye to you and be on my way to catch the train for Binghamton.

(END OF DISCUSSION)

Chairman Eckel: Our next speaker is Mr. Sheldon. He apparently considers that there is some trouble with county government, from the title of his paper. Perhaps some of you gentlemen believe there is; and I think possibly when we are through with this paper we will know whether there is any trouble, not only with this county, but all other counties. I have great pleasure in introducing Mr. L. Grant Sheldon.

ADDRESS

"WHAT IS THE TROUBLE WITH COUNTY GOVERNMENT?"

L. GRANT SHELTON, Former Supervisor of Onondaga County

I know little of results in other counties, but assume that they are practically the same wherever there are like conditions. However, having served during the years 1914 and 1915 as a Supervisor of Onondaga County and, therefore, being in a position to study the system at close range, I do feel qualified from experience and observation to tell you some of our local troubles.

What is the trouble with County Government?

A Subject Much in the Dark

Most of our intelligent citizens have a general, vague impression that something is wrong, but what it is they do not know and have no means of knowing. They simply know results. Very few are qualified to give out the exact facts and conditions, as these are really known only to those who are either officeholders or in very close business relations with the administration. The latter class do not care to make revelations for financial reasons; and the former, in most cases, become so thoroughly and completely identified with the system that they do not care to criticize. Anyone advocating a change, or finding fault with conditions as they are, is always open to the charge that he is either insincere and looking for something for himself, or else that he is a chronic kicker, an idealist, or a fanatic, and this reason deters many from taking a public stand for any reform.

In the time allotted me, I shall be unable to go into details or touch many points worthy of attention, but will confine myself to facts and conditions as I know and have seen them as to the most important troubles.

In giving these I want it clearly understood that I am not criticizing men, except as they are the creatures and product of the system as it operates here and which I believe must be changed if we are ever to have good government.

How the Board of Supervisors Organizes

The board of supervisors of Onondaga County is composed of 38 members, one being elected from each of the 19 wards of the city and one from each of the 19 towns.

The life of each board is two years. Its first duty is to organize by the election of one of its members as chairman. The chairman has large powers and influence, if he has the ability, courage and will to exert them, in the way of general supervision over the committees and their methods and acts, and the very best material in the board should be selected for this position, but this is not always done. Other qualifications are often deciding factors. If the initial mistake is made of not selecting a chairman who is above petty partisanship, who is able and feels his responsibility, then the whole body is seriously handicapped by his example, if by nothing else.

It is the chairman's duty to appoint the several committees who have direct charge of the monthly audits of all county institutions and departments, as well as the carrying on of the various enterprises of the county. This, I believe, is the general custom under our system and has been pronounced a necessary and legal way for the board to transact the county's business.

Now as to the way this system works out.

It is entirely within the power of the chairman to make up these committees, politically and otherwise, to suit himself, regardless of character, ability or fitness, and it has always been customary to retain re-elected members of the board on the committees on which they have previously served, promoting them to chairmanships as fast as possible, providing they are of the dominant political faith. This custom often leads to unbusinesslike conditions.

It has also become the custom to leave nearly all active committee work to the chairman of each committee. This is true of all committees with very few exceptions. The associates of the chairman merely sign their names, when requested by him, to audits, reports and resolutions when they have absolutely no knowledge at all of the matter thus disposed of.

Committee Audits Farcical

Audits are a farce under this method. For example, bills for supplies for county institutions running into thousands of dollars each month are sent to the clerk of the board, who turns them

over to the purchasing agent, if the supplies have been bought on his requisition, for his official O. K. This can necessarily mean only a comparison between the bill and his requisition as to words and figures. They are then turned over to the county attorney for his O. K. as to legal form and then to the proper committee for their audit in the manner I have stated. These bills come from the different institutions or departments usually O. K.'d merely by the signing of someone's initials. I understand there are approximately 15,000 bills to audit annually and naturally it has come to be more or less a formal routine and nothing else.

These reports, resolutions and audits, purporting to represent committee action, are presented by the chairman of each committee to the whole board for its final action, and it often happens that affirmative action is taken when, as a matter of fact, practically only one man on the whole board knows exactly what he is doing.

It will be clearly seen that an unscrupulous chairman of an important committee could very easily commit the county to a wrong or very unwise line of action. This condition is hard to remedy. You have heard of "senatorial courtesy." Well, we have here what may be called "supervisory courtesy" and it is carried to the limit. According to this custom, it is deemed discourteous to question or ask information, while in public session, of any member offering a resolution or report, and unless such member sees fit to explain, which he very seldom does, the majority of the members of the board vote in the dark, relying solely on their belief that it represents a committee action. In fact, the whole system promotes and encourages "frame-ups" and discourages any discussion in open session.

The board meets only once a month regularly and there is necessarily a good deal of business to be transacted at each meeting. The regular hour of meeting is 2 p. m., but it is usually much later when the board is called to order. The country members particularly are anxious to get away early and business is often rushed through without due consideration.

Loose Methods in Public Business

The annual budget is prepared by the Ways and Means Committee in this way. Estimates are prepared by the heads of the several institutions and departments for their needs for the ensuing year. These estimates are presented to the chairman of the committee, who, with the clerical aid of the county attorney and clerk's office, tabulates them. The whole committee is then called together

for usually the only meeting of the year and goes over the entire budget, item by item. Certain items are fixed charges and these are prepared by the county attorney. The balance of the budget, including requests for increases in pay, estimates for maintenance of county institutions and for construction and repairs, are properly subjects for intelligent discussion and good business judgment, but an agreement is usually reached in one evening, either by guess, by compromise, or on a general principle, carrying out a certain policy, or by all three of the above methods together.

Such action, taken in haste, without positive knowledge of actual conditions, cannot be intelligent.

A practice that has grown up through carelessness or negligence is that of receiving and auditing bills not properly verified, and this is a very serious condition, leaving the door wide open to forgery and graft.

Another bad practice is that of the assigning of claims by original claimants to officials and employees of the county. The excuse for this is that many small claimants cannot wait for their money until the regular monthly meeting of the board; but some other way should be devised to care for this condition.

The action of the committee on equalization of taxes has always been controlled by country members representing approximately one-third of the voting population and of the assessed valuation of the county and has been severely criticized. A new method of handling this matter has been tried this year and the results are much more satisfactory.

The different departments of our county government are not closely co-ordinated and there is no desire on the part of officials generally to bridge the gaps between them nor to assume any responsibility which may be avoided.

The varied activities of the board of supervisors are simply loose ends, without any real responsible head whose duty is to gather them up and make of the several parts of which our present system is made up, one whole effective, administrative machine.

A representative of the State comptroller's department has been studying our local situation for some time with a view to so revising the rules of the board as to make the transaction of public business conform more nearly to modern methods. Among other things, he recommends the creation of a county auditor. This, I believe, is a distinct step in advance, but the result will depend very largely on the personality of the man selected and the power given him.

He should be a competent business man who could handle the whole question of audits, from checking the bills and knowing that the county got just what it bought, to authorizing payment, and not merely an accountant to certify with another rubber stamp that the figures are correct.

These recommendations, if properly carried out, will no doubt improve our present system, but the fundamental troubles will still remain. These may be summed up roughly in two heads:

First—Division or scattering of responsibility.

Second—Invisible government, or too much political boss.

These are closely interwoven in the practical working out of the present system, but are still two distinct troubles, because, even if invisible government were eliminated, the division of responsibility would still remain.

Incompetence of the Board of Supervisors

We can never obtain, or have a right to expect, real efficient, responsible, businesslike county government by a body composed of 38 men elected from 38 different towns and wards, pulling, more or less, in 38 different directions, each one leaving the big, important things to be cared for in a haphazard way by the other fellow, taking real, active, personal interest only in the things which affect him or his constituents directly.

A county governing body of this size is necessarily cumbersome, unwieldy and in no way fitted for the performance of the executive duties entrusted to it. A spirit of intense political partisanship is bound to exist in a body of this kind and size, and the result is that no measure intended for the benefit of the taxpayer is considered solely on its merits, but is considered first as to its political effect, and, beyond that, the final decision as to what action should be taken on any subject, no matter how important or how trivial, rests not with the members of the board, to be arrived at in open discussion, using their best judgment, but with the organization of the ruling political party as represented by its conceded head, a position that carries with it absolutely no official responsibility to the taxpayers of this county, but of sufficient power to enforce its decrees.

I have seen supervisors, and other officials also, assume office with all the intentions in the world of being honest, straightforward and independent in the performance of their duties, but, little by little, succumb to the insidious pressure brought to bear in numberless ways until they became merely tools.

This condition cannot produce good results, as it makes moral and political cowards and puts the fear of the boss, instead of the fear of God, in the hearts of officials generally; and, not only this, but it shifts the responsibility for their acts to the organization whose mandates they blindly follow.

The members of our local board of supervisors are and always have been, with very few exceptions, men of recognized ability and integrity; and the failure, if I may so call it, of our present system lies not primarily with individual members of the board, but with the system which not only permits but promotes that lack of the sense of personal responsibility which is the prime essential to good government everywhere.

Whatever weakens the power of the boss and loosens the chains which bind officials to a blind allegiance to the political organization, by whose grace they are elected or appointed, and promotes a sense of responsibility to the public, must be a good thing.

The principle of direct primaries is in line with this great need; and, although the law as it now stands is cumbersome and incomplete, it should be improved and not abolished, as is now proposed, to the end that our government—national, state, county and city—may be truly what our forefathers intended it should be, a government of the people, by the people, and for the people.

DISCUSSION

Chairman Eckel: Would any gentlemen like to ask Mr. Sheldon any questions?

Mr. Alonzo G. Hinckley: It seems to me as though the paper he has written is not what is the matter with county government, but what is the matter with Onondaga. I want to say—perhaps so you may realize that I have some idea of what might be said, and that I know a little of what I am talking about—that for a good many years I have been clerk of our county's board of supervisors, so many years that I am almost afraid to tell you just how long it is; and because he has spoken of the terrible partisanship, I want to say that I have been clerk under Republican boards, under divided boards, and under Democratic and Progressive majority boards, as indicating the fact that partisanship does not always enter into the board of supervisors. And even further than that, while I was Republican county chairman of Erie County

I was elected to the clerkship by a Democratic board. And I want to tell you now that what he says is not the fault of the government. It was the fault of Erie County ten or twelve years ago, when I first became clerk, and when the chairman, who stood alongside me at that time, was later confined in prison. Perhaps this ought not to be taken upon the record, but that was the condition of Erie County at that time. That was the condition when the chairman was appointing his committees from partisan political reasons. That was the time when our county was rotten. But it is not the condition today. That was the time when the chairman was selected because he had political influence. Today we select the chairman because we believe he not only is honest and he is not only going to be faithful to his duties, but he is going to be more or less non-partisan. Today in Erie County we have a chairman of a strong Republican board who is himself a Democrat. Of that strongly Republican board we have committees which are non-partisan. I am showing the change that has come over Erie County, not by any reorganization in this terrible government, but a change in individuals, a change in the spirit of the people. Mr. Sheldon has said that his board is called together at two o'clock in the afternoon and generally later, as I remember. We are called together at eleven o'clock in the morning, on the dot. We of course have an advantage that he does not, of meeting once a week, so they cannot give us that old-time excuse which existed some years ago when men cashed warrants, when men did advance money. We did have at that time this so-called invisible government. We did have at that time the condition where the different heads of the committees did not get together as they do today. But through the offices of a man who came from Buffalo, Mr. Buck, who was then a supervisor, a rule was passed so that the annual budget must be printed, must be ready and passed by the committee, and on the table for the board to pass by the first of December. In that way the committee began to take it up a long time before so that by the first of every December we have on the table the annual budget. Not just glanced at, but gotten together by the committee, and public hearings had upon it. Every one of the committees is working together for the interest of Erie County.

I am showing the gradual change which will some day come over Onondaga County. We came down here yesterday and spent a very pleasant afternoon with Mr. Wood, your purchasing agent. I never saw anything more ideal in my twenty years' experience in government. And when you have climbed along a little further

so that you have divorced from your board of supervisors this talk of politics and you have added to that this county auditor that you are talking about, so that you will have a man—your county government troubles will be small. I am going to say to you frankly that we had a little trouble about that, when our auditor law was first passed. We have up there now a man who works for the County of Erie as Mr. Wood works for the County of Onondaga. I only stand up here and talk hurriedly to try to bring to your minds these facts, so that you will not be discouraged, and so that you won't say that the whole trouble is with the county government. You cannot make a government that will be so correct that its purposes cannot be defeated, any more than you can make a lock that can not be broken, because some smarter burglar will come along and break the lock. So that no matter what protection you put around all these forms of county government there is bound to be some one who may perhaps commit a fraud. I do not say the county government should not be improved. This is my first experience with the county association. I am very glad to come down here. And I am very glad to leave with you early in the morning the impression that the county government is not all bad. But a good deal of the fault is with the individual.

Mr. Bowman: I would like to ask the last speaker a question. I am interested to know what he would say that we would have to do here in Onondaga County in order to get that civic spirit. It seems there is one situation in one place and one in another.

Mr. Hinckley: I trust you won't have to do as we did in Erie County, and confine several men in Auburn prison in order to wake people up to the fact that things are wrong. I will say this, that with all due respect to the average political situation, every man elected to the board of supervisors, particularly from the towns, should be the best citizen that there is in that town. Now I cannot always say that about the board of supervisors from the city, and I don't want to place myself in jeopardy of my position, but I emphasize the fact particularly that in the towns the best man they can get is the man who is made supervisor. After this time that I speak of, a certain element of younger men came in to the board. It seemed to me there was more life. And after that there was a gradual falling away of that whispering in the back room. If it came from that terrible example we had, I cannot say. But I do say to you that the board of supervisors of Erie County stands today in a position which is almost ideal. The people have confidence. And beyond all that, the greatest advantage that I can

see has been from the fact that the chairman has appointed committees in whom the board has confidence. When a committee takes up a proposition in Erie County they hold a public hearing, if necessary, or they determine the matter as best they can, and when they have completed that hearing, the board of supervisors and the people of the county are satisfied that they have done the best they could. The committees are not very many in number, but they are large, and I believe it is that confidence engendered by the work of such committees that makes our board of supervisors so successful. I would like to see Onondaga improve, and perhaps these speeches will wake people up.

Mr. Cartwright: It strikes me after all that the paper by Mr. Sheldon is really a discussion of what is the matter with county government. But the contribution we have from Erie County shows how Erie recognized that weakness and got the better of it. No one can deny that Erie County shows an advance, and I don't know but it is a first rate suggestion for all the counties of the state, that they get a first class, A No. 1 clerk for the board of supervisors.

Mr. Childs: I simply want to suggest that no reasoning can proceed from single instances. There have been instances in city government where there has been the old mayor and council form of government, for instance, and a steady development of bad conditions proceeding quietly and unnoticed, and finally a scandal or revolution or invasion of some sort, a general explosion, a storm and the clearing of the air, and for a number of years thereafter things go very much better, and never get back to be quite so bad as they were before. And then in time comes another great upheaval, another arousing of the civic conscience, another storm and the clearing of the air, and so we proceed, steady by jerks. The fact that in a given city at a given time the atmosphere may be clearer, that tangible progress may be at hand, does not prove that the system of government may be an exact system; and I cannot believe that in county government a system which puts the power in the hands of a very large board, elected by wards, with most of the working power in the hands of committees, meeting only, in most cases, once a month, without a centralized executive, is a sound system in the long run. I think we are due to get into trouble with it, periodically, right straight along; and the history of county after county will show that we do get in trouble with it periodically right along.

A Gentleman Present: I think an experience of ours might help to answer the query made by this gentleman from Onondaga

County. So far as I have been able to observe for the past year, which is the only one I have the pleasure of serving on the board of supervisors, our board seems to be free of any noticeable exercise of domination from the Republican organization which is in power. When Supervisor McKelwin was elected, he did not go and ask if he might run. He simply told them he was going to run. They replied that he had a fat chance of getting elected, and they never stuck by him to elect him. Consequently, when he won the election he did not feel under any great obligation to the party. He, the independent, was appointed on one of the most important committees. And during the year I have been on the board I have seen no attempt to influence the members by the local partisan organizations. Now possibly in this county you do have some political leader who seems to hold in the hollow of his hand the different members of the board and make your board do things in his way. It would seem to me that it is not the board or the way of running the county affairs so much as it is the fact that there seems to be a local Republican or Democratic leader or organization which has control of the board. If you can get rid of that I think the conditions will be more satisfactory.

Dr. Parmenter: I feel considerable hesitation and some fear when I hear of the control of the organization by boss, because in my own county, Ontario, I unfortunately combine in my person state committee ship and chairmanship of the board, which is a dangerous combination. But I want to say to you this that since 1912 there has never been one action taken by our board on party lines. They have been eliminated. Every Democratic member of the board is a chairman of a committee. We take them in. We take them into the caucuses. The process of assimilation goes on, and party lines are obliterated. We have a budget which has to lie on the table for public inspection, and from the beginning, since 1912, from which my experience dates, we have had no touch of partisanship from outside. We have steadily progressed, and having some ideals, we are going to progress still more. And I think it comes back again finally to the character of the men on your board. I think Mr. Hinckley touched upon that. If I might sum up my one criticism, the great fault of county government, as Mr. Childs emphasized last evening, is the lack of one head. Twenty men or forty men, meeting once a month, cannot work as a unit.

Chairman Eckel: I think we ought to close the discussion and go on with our next paper. We can come back to this discussion later. There will be time, I assume, later on, in some of the other sessions for more discussion. Our next paper will be by Mrs.

Helen Hoy Greeley, of the New York bar, on the subject, "Shall New York Have a State Constabulary?" I have very great pleasure in introducing Mrs. Greeley:

ADDRESS
SHALL NEW YORK STATE HAVE A STATE
CONSTABULARY?

HELEN HOY GREELEY.

Mr. Chairman and friends of the conference: It would be more pertinent perhaps to change the title from address to talk. I am afraid this is not a paper. It is just a little talk. In looking over the program I find that I am in a different position from any of the rest of the speakers. Every one else who has a paper here comes to you from an association which is carrying forward work that at various points touches county government, and in the contact detects weaknesses of county government. I come to you from an organization which exists solely because the members thereof have as individuals felt a great weakness on the part of the different governmental units, whatever you may choose to call them; the state or the county or the village. The weakness I mean is the lack of protection afforded by the proper unit to these individuals. I am, the program says, the legislative counsel for the Committee for a State Police, and that is the genteel way of saying, "Lady Lobbyist." The committee that I represent is made up of individuals of all types of citizens. They are city dwellers; they are rural dwellers; they are farmers who are grangers and who are not grangers; men in district schools; men in agricultural schools; men who are bankers, but have country places; men who are manufacturers. And we have men who are interested in this, who are on this committee, solely because they are hunters of fish or birds. And so we run—all kinds of people on this committee, and all of them there because they believe that there is not in this state sufficient protection afforded from the public safety departments in the state—the police system, in whatever form it occurs—to the individuals of the state, especially in the rural districts.

So this organization has been formed, not by students of county government who have a theory as to how county governments may be bettered, but by individuals who have lacked protection, who have felt that lack individually in some particular instance and needs which have arisen from particular instances; and because altogether we have enough instances to enable us to come to conclusions.

The County Falls Down on Police Protection

Two years ago, I think it was Mr. Childs who said: "If the history of twenty years shows that reform in instance after instance has consisted in taking functions out of the county and vesting them in the state, the political scientist begins to suspect that the county is so organized that it falls down on the job as soon as the job becomes important or technical or difficult; and that the development of the powers of the state government at the expense of the county is probably a survival of the fittest." If now, therefore, we have an organization existing wishing to put into the hands of the central authorities of the state the power to give protection to the people in the rural districts, is it not because of that very falling down of county government? Where it has fallen down is of course in the office of the sheriff, in the office of the town constable, and the village policeman. There is a long line of judicial decisions in this state, showing very clearly that locally appointed police officers are not strictly speaking local officers at all. They are agents of the state government for the maintenance of public peace and order. But in spite of this theory, although it is true, there has never been developed any effective state administrative control in this important branch of local government. There have, however, been, consequently, a great many haphazard occasional attempts made and steps taken in different states to remedy the situation; but there has not been any systematic and permanent machinery established. I think it will remain for the county government association to devise that permanent machinery.

Sporadic Instances of State Police

The sporadic instances to which I have referred, the haphazard steps that have been taken, are somewhat as follows: In 1865 there was established in Massachusetts a state police force to enforce the prohibition law, which was enacted in Massachusetts. The law continued in existence for nearly ten years, when it was repealed in 1875. The state police force for the suppression of the liquor traffic was not disbanded, but was transformed into a detective force and that detective force was used to suppress disorder and enforce the criminal law. Later it was used to investigate factories, and still later it took over the functions of the fire marshal. In 1903 a similar police force was created in Connecticut to deal with liquor traffic and the gaming laws and to perform the functions of the state fire marshal. In Rhode Island, it is interesting to note that in 1886, when there was a prohibition

law in effect in that state, there was a state police which had power over the sheriffs, in that it could direct the sheriffs and the local police, but only in regard to the enforcement of the prohibition law. That only lasted a few years. In South Carolina in 1896 the state constabulary was created because of the existence of the state system of liquor dispensaries. In Pennsylvania in 1905 the constabulary was appointed to suppress disorder and give rural protection, especially in the mining districts where the large aggregations of foreigners created more turbulence, and to be used in the case of strikes. The existence of the rangers on the Mexican frontier is of course an instance of a state police of a different nature. They established rangers there in Texas, Arizona and New Mexico, in 1901, 1903 and 1905. Now comes this effort in New York State to establish a state police, not solely, as in Pennsylvania, for the suppression of disorder in connection with rioting miners in rough districts, not solely to suppress the liquor traffic, or any one thing solely, but to gather together all the functions, let us say, of all these instances of an attempt to exercise direct state control in these other states. For instance, the state police committee contemplates that the force created by the bill which it advocates shall give assistance to the state in time of riot and strike by relieving the national guard of strike duty.

The National Guard Not Suitable as Peace Officers

We all of us know that the national guard was in a perilous condition, even before it went to Mexico; and since then, we know we are faced by a still more precarious situation. Whether the guard will be reorganized no one knows at this moment, but that something vitally different and radical is necessary is quite evident. However, one of the first steps essential for the rehabilitation of the guard, whatever else may be done, is the establishment of a state police force to relieve it of the duty to serve in strikes, because of the fundamental distinction that our law most clearly makes between soldiers' service and police duty. No body of soldiery supposed to exist to defend our state against external foes should be called upon in cases of domestic differences. A police force is the proper body. This necessity which the guard has been under has diminished its recruits, and I am sure the gentlemen here from Buffalo will be able to verify what I say when I state that the depletion of the guard last year was directly traceable in Buffalo to the use of the guard in the great strike at the Gould Coupler Works in Depew. The condition which existed in Buffalo I do not say existed in any other city. Last spring I saw them

in the streets entreating men to join the guard, when it became necessary to get men to go to Mexico. I think you will know why the speaker of the assembly, Mr. Sweet, told me this summer this: "I wish, Mrs. Greeley, that the national guard could be disbanded; that we could have a strong state constabulary of 1,500 or 2,000 men; and that we could have, besides the radical reorganization of our federal army, a good big standing federal army created."

Now that is just one reason for the existence of the state police force. It is an important reason, but it is a subordinate one. The experience of Pennsylvania has shown that the police force there has been used in strikes during the ten years of the force's existence, from 1905 through 1914, on an average of only one day per man per year. But its existence has been a deterrent to rioting and general turbulence, and the fact of there being on the ground a body of men trained and always hard and in condition to do its work has been an effective deterrent to the kind of rioting that preceded its existence. This last year has been the only year in which the force has been on duty in strikes so much, and of course these conditions have resulted from particular economic causes and disturbances. These causes have kept the force on duty a very great deal this last year; and at times it has had to have its work supplemented, for the first time in its existence, by the national guard.

Wide Unprotected Rural Areas

But aside from all that, the state does not afford proper protection in rural districts to its rural dwellers, largely because the state has had no effective administrative control over its various officers, who, although many of them are local officials, are yet state agents. Now the bill that we contemplate does not give to any state department control over these officers. We have not meddled with that in any way. We have left a clear field, it seems to me, to those careful students of county government who may be able to devise the proper relation that the sheriff's office in the future shall bear to the state police. Our bill aims to create only a small force which shall co-operate with local officials but not aim to control them. In fact the men of the force will have no jurisdiction inside of incorporated municipal units, unless they are invited to come in and help. Of course they will have jurisdiction in the sheriff's bailiwick, but only outside of incorporated villages and cities.

The fact that the local police protection stops with the boundaries of the incorporated unit throws upon the sheriff and the sheriff's office the burden of protecting the dwellers outside. He doesn't do it, and is not called to do it. I don't mean he is unfit or incompetent, but is he permitted by the machinery of our law to perform the function which we should reasonably exact and expect of him? I think not. I think that as one of the multiplicity of officials he is the victim of our legal procedure. He is a victim of the constitution. Whenever you have, as one of the speakers at the first conference pointed out, a multiplicity of elections in any unit it is popularity which secures the election, and I think that applies in the case of a sheriff almost more than in the case of any other county officer. He is essentially the good fellow of the county. His office is a political resort. He has no distinctive qualification for the office. If he is a good fellow he gets the job; so also if he has rendered good service to the party. Now that does not make for scientific performance of the duties of his office. He is not an expert in the detection of crime, and yet upon him depends the detection of crime, largely. He has no trained assistants given to him. No trained service is paid for. His appointees are, as the Sheriff of Erie very frankly said to me, political appointees for political reasons. They are not trained men. The gentlemen from Buffalo may be interested to know that the Sheriff of Erie County said to me this summer, "What are my qualifications for being sheriff? I have been a grocer all my life." And I may say here that in the majority of cases the sheriffs have been mechanics, truckmen or farmers. And so it goes. He said, "I have been a grocer all my life. My one qualification for the office of sheriff, as I see it, is my common sense. I think I have some common sense. I have no assistants who are trained, and I do not consider myself the kind of official that the County of Erie should have to go out into the districts outside of the city of Buffalo and get expert criminals who operate there, detect them and catch or apprehend them and bring them in for punishment."

What the State Police Will Do

I believe he is right. I believe that it is essentially because of the breaking down of the public safety departments of the state that we should now turn to the state itself for some kind of trained body. And we are doing that in asking for this bill, and for the creation of this force. The men will patrol the rural roads. In Pennsylvania in ten years they patrolled six million miles of rural roads never patrolled before. They operate against the intoxi-

cated man who drives his car while intoxicated, and against the grafter who establishes the speed trap for the benefit of the local unit with which he is connected. These men will supplement the services of the game wardens and the conservationists of the state in enforcing the fish and game laws. They will assist the health department of the state, when that help is needed in the maintenance of quarantines, etc., in the rendering of specific kinds of services in different units where the health department of the state operates. They will operate in all ways for the general enforcement of the law, and they will be a general deterrent to all kinds of crime.

Why a Sheriff?

The force is necessarily a small one in our beginning. I do not know at all what it may develop into. I do not know what its relations, after the county government association gets done with county government, will be to the sheriff's office and the office of the village police and the town constables. Your own disputants at the last conference did not know. Mr. Cawcroft considered that the very first step of county government should be to restore to the office of sheriff its historical prestige and pristine vigor. He believed that in the preparation of a better system of county government the sheriff must be restored to his place as the "chief-man." Contrast that, if you please, with the statement of Mr. Cartwright, which you will find in the proceedings of the first conference of your association. He said, in discussing the short ballot for counties, "I fail to perceive, for example, the necessity of electing a sheriff by popular ballot. I think the office of sheriff is going out in time. The coroner is surely going to be abolished very soon, and the sheriff will shortly afterwards follow him. New York City will probably be the first to get rid of its sheriffs. It will retain its police. I doubt very much if New York City would think it in any measure the part of wisdom to elect its police commissioners by popular ballot, or its fire chief, or its commissioner of correction, or any of the heads of the big departments now appointed by the mayor. There is no argument for any real logical tenability, that I have seen, as to why the sheriff should not be appointed to his office either by the county commission (in a commission government county) or by the chief executive officer of such a county (a county manager) in much the same manner as the police commissioner is appointed in a large city by the mayor."

And that, of course, falls in with the plan presented by Mr. Childs. Mr. Cartwright himself later advises that certain county

officers, including the sheriff, be appointed by the county manager, who is responsible as the executive agent of the small board of three, five or seven supervisors that your association is contemplating as a possible plan. Mr. Cartwright himself pointed out that the relation of the sheriff's functions to electoral control, and the weighing of such functions in the balance with those of a state police or a state police with county control is a very important matter to be considered in the reform of county government. All that I believe is true. I think that must be worked out. But, as I said before, I think that the bill which I advocate does not militate against the future plans and the development of the future plans of this association, but can easily, when the time comes, be related to whatever then seems wise. Certainly I should not now advocate mixing up the state police force, which we contemplate, with the sheriff. If it were possible under the constitution to do so, Mr. Cawcroft, in his address two years ago, suggested that the sheriff be made a captain of the forces of the state police, a lieutenant, if you please. I think under the present chaotic system of county government that that might be fatal, but I do not think it is important to us under the constitution as it stands, and I am not going to worry about it.

The State Police Bill Opposed Only by Labor Unions

Now a word about the bill, and the practical end of it. I have assumed that every one attending this conference agrees with the students of county government that a state constabulary is a desirable thing to have, a necessary thing to have, and that it is coming in New York State. We of the committee believe that it is coming, and perhaps coming early in the legislative session about to open. We nearly passed this bill last year. We lacked only a few votes. We passed it in the senate, and we had the governor's assurance that he would sign the bill. I believe it failed in the assembly largely because it was brought out of committee at the very end of the session, on the last day, within only three hours of the closing; and in the confusion inevitable during the closing moments of the session, its proper consideration was prevented. But this year the bill will go in early. It is very closely on the lines of the Pennsylvania law, and that is uniformly regarded as a successful instrument, and we stand a pretty good chance after all the publicity that has been given to this question of having the legislature, that is awake to the needs of the people in the counties, act favorably upon it.

We have the endorsement of all kinds of bodies—grangers, sportsmen, automobilists, manufacturers, rural residents who

are not farmers, and the intelligent city dweller. We believe the only opposition is the opposition which comes from the labor contingent, who realize that the Pennsylvania constabulary has been an effective check. I recall that one of the labor speakers at the hearing on this bill last year stated that the Pennsylvania Labor Federation had not been able to pull off a successful strike since the creation of this force, and that was the reason why he was opposing the bill. If that be true, I think it was a very unwise thing for him to say in public. Now if you are in favor of the bill you can help us from whatever county you come by seeing to it that your representatives in the legislature know of your feelings on the subject, and the same thing is true if you are opposed to the bill. We want the bill to be a crystalization of awake, alert, intelligent public opinion. If that opinion is not crystalized in favor of the bill, let us have no bill this year.

DISCUSSION

Mr. George S. Buck: Erie County has a population of six hundred thousand people, I believe. May I ask about how many state police would be apportioned to Erie County under such a bill?

Mrs. Greeley: You have nine assembly districts in Erie County, and one one of them is what may be called a rural district. The bulk of that population is centered in eight of your assembly districts. This police force is for the protection of the rural communities, and none of it would be apportioned to the eight districts. It would patrol the roads, however, or some members of it would patrol the roads in that portion of Erie County where the Teiper murder was committed. That lies outside of the eight urban and inside of the one rural district of Erie County, and there you might expect to find state policemen.

That question raises of course the general question of distribution of force. The force at present proposed is a small one, consisting of only 232 men, and the question may well come up, how can you effectively distribute so small a force over so large an area. That, gentlemen, is what we pay \$5,000 a year under the proposed bill to the superintendent of police to solve. It is for him to say how the force shall be distributed so as to gain for the state of New York the greatest return on the investment it will make in this police force.

Various propositions are being made for the distribution of the force. Possibly there will be the assignment of two, three or four men to a county, depending upon the size of the county and the number of miles to be patrolled. Sheriffs have told me that they

would consider as few as two men, who are trained as these men are supposed to be, a great addition and a great help to them in the administration of their work. There might be the posting of one of the troops at a central point in the state, possibly Syracuse, possibly Albany, with the other troops on rotation wherever the superintendent might decide. But the troops would always be mobile and any number of the members could be sent in cases of need to the point of need. That of course is particularly true of strikes, but it is true also in cases of aggravated trespass in the hunting areas. The Pennsylvania force has been assigned, small squads of them, to hunting areas so they could protect the farmers against aggravated trespass.

Question: Can you get, under your bill, more men if they are needed?

Mrs. Greeley: We should be very glad to see the force started with *six* troops of fifty-eight men each, but it seemed as though the idea was so involved it would be very difficult to get a larger force, calling for a correspondingly greater expenditure, so we compromised on the four troops, which number Pennsylvania has. Pennsylvania is desirous of increasing the number of its troops, and there is a strong probability that it will do so this year. There is an illuminating story told of one of the Texas rangers. There was some trouble at some point on a railroad in connection with the railroad employes; the local employers were unable to settle the difference, and a riot was imminent. The rangers were sent for to quell the disturbance. When the train pulled in that was to bring the rangers, one man in uniform got off, and the local people went up to him and said, "Well, where are the rest of the boys?" And the man in uniform looked up and said "You haven't got but one riot, have you?" That seems to be the story of what training does. Three or four men can handle what twenty men less hard, less in condition, can do. Remember this constantly that state police are trained men; and if they are up to the standard of the Pennsylvania constabulary, I have been told by other people that even four would have done in such strikes.

Mr. Childs: Suppose a crime is committed in a purely rural section of the state. What is the procedure and the recourse which the victim has today?

Mrs. Greeley: Doesn't he call upon the local police official, if there is one? Otherwise upon the sheriff? If it is within the limits of a village, it would be the village policeman, in case such exists. Of course, there is no obligation upon a board of village trustees to appoint local policemen. For instance, recently in the Village of

Homer, the village went dry and it was thought that with the village dry there would be no need of maintaining a village police officer. So they voted the existing policeman out of office, and there is no police officer there now. If they cannot get help, their recourse is, of course, to the sheriff at the court house, which happens to be only about three miles, possibly a little less than three miles away. But in the case of other villages it might be a great deal more.

Mr. Buck: In Erie County we have a cosmopolitan population, and we are continually paying out fees for the constables and for the maintenance of quarantines and for the deputy sheriffs for the apprehension of criminals, and it is expensive. It has often seemed to me we might maintain quite a respectable county police force and secure vastly better results, because the constables and the deputy sheriffs are not trained at all for their work, as you pointed out. Anybody can see that under existing conditions it is usually a pretty mediocre specimen of a man who will work at such an occupation for three dollars a day, and that is what the deputy sheriff is allowed. It seemed to me that one of the fundamental troubles is that the state passes a law and then leaves it to local authorities to enforce, so that there is practical nullification in all communities which do not approve of the state's enactments. That has a tendency to develop disregard for law among the people. I have a friend who was connected with the state government for a while. He was a lawyer in active practice, and he became United States District Attorney. He said he was astonished to discover how much more fear people had of the United States laws than they had of the state laws. And upon thinking it over he came to the conclusion that the reason was that in the case of the local district attorney, everybody had a chance to elect him, while in the case of the United States District Attorney, he was responsible to his superior for carrying out a given course of action. You can see at once if the United States depended for the enforcement of its laws, upon locally elected officials there would be a nullification all over the United States where the United States laws were not approved.

I may also add another experience. In the summer time I have for some years lived on the Canadian side of Lake Erie. There is no very great difference between the people over there and those on this side, but there is a decided difference in their respect for the law and for its enforcement. It has seemed to me that perhaps the fundamental reason for it lay in the fact that over there the enforcement of the law is in the hands of the province. The sheriffs

are all appointed by the provincial authorities, and they are responsible alone to them.

Chairman Eckel: When a great corporation, railroad or mercantile corporation, wishes to obtain a manager, its officers look about to get the best man that they can find, and they usually choose a man who has had some previous experience in that kind of work. They pay him a salary commensurate with his ability and with the services which he performs. And so it is not strange that they get competent men. And I think the discussion this morning points out the fact that if we could only get competent men in public office much of the trouble of government would be done away with. After all it comes down to the personality of the men. Honest, efficient men will do well wherever they are put, whether in a political situation or elsewhere, provided you can keep away improper influence. I think I can say with certainty, from my experience, that Onondaga county is proud of County Purchasing Agent, Frank X. Wood. I was glad to hear what Mr. Hinckley said. And I have heard from other men, in connection with the state government, that Mr. Wood's office is a wonderful example of what can be done when a man really sets out to do it conscientiously and applies ability and sincerity to the office. I have great pleasure in introducing Mr. Frank X. Wood, county purchasing agent of this county.

Mr. Frank X. Wood: Mr. Chairman, ladies and gentlemen: I see some of you are looking at your watches. I know what that means. And for your comfort I want to state that while these pages are rather long, they are not very numerous. I have jotted down here what I want to say, for two reasons; first, so that I may not trespass upon your time, and second, because sometimes I have had the experience that when I have started away from home with some data or facts in my mind that I wanted to pass out, I have found that when I got to the place where I wanted to use them they had slipped out and gone back home. Which reminds me of the colored man who, when criticized by his pastor for being late at church, said it was because of a heap of trouble at home. In the first place his wife went to the chicken house and left the chicken house door open, and, in the second place, chickens came out and all went home (laughter). My writing this paper is simply locking up the chickens so as to have them ready for me.

ADDRESS

"THE PURCHASE OF MUNICIPAL SUPPLIES"

FRANK X. WOOD, Purchasing Agent for Onondaga County

There is scarcely a business enterprise of any magnitude nowadays that does not entrust to someone, officer or employee, the duty of purchasing all the supplies for the concern. This has been proven by experience to be the most satisfactory and economical method of handling the purchase of supplies. A municipality is a huge business, and should be conducted upon business lines. While the same methods cannot always be applied to private and public business, in general what is for the best interests of the former will be equally advantageous to the latter. This is especially true of the purchase of supplies. I can tell you a little of the experience of Onondaga County along that line.

Haphazard Buying the Old Way

The act creating the office of purchasing agent for this county was passed in the year 1906, and constitutes Chapter 20 of the laws of that year. The act was amended in some minor particulars by Chapter 330 of the laws of 1914. Prior to 1906, when any department or officer of the county desired any supplies, he went out and bought them for himself, wherever and in what amount and for whatever price he saw fit, and the bill for the same was subsequently presented for audit to the board of supervisors, which at that time met in annual session in the fall of each year. Except as the bills were kept in the office of the board of supervisors, no records of these purchases were kept, and it would have been a very difficult task to have figured out just how much was spent each year by any particular department. For sometime prior to 1906, it had been apparent to many interested in the welfare of the county and who were anxious to apply modern business methods to county affairs, that the system of haphazard buying by many individuals was not for the best interests of the county and was not conducive to the obtaining of the lowest prices. Many of the departments bought the same class of goods, but by buying in different places and in small quantities to meet the needs of the particular department purchasing, instead of in large quantities to meet the needs of all of the departments, the county could not take advantage of any wholesale rates. It was thought by those who were giving the matter attention that, if one man could be entrusted with the purchase of all of the supplies of the

county, and if he could give his entire time and attention to this subject, and could be brought in close contact with all of the departments of the county, so that he might know their needs so far as supplies were concerned, he would not only be able to buy in large quantities and thus obtain a better price for the county, but he would become an expert in the purchase of goods, and could give much more time and attention to making attractive contracts and getting competition than the various heads of the departments or offices of the county could possibly do, all of whom were charged with the performance of onerous duties other than the purchase of supplies. Accordingly the act which I have referred to was drawn and passed by the legislature of 1906.

The Purchasing Agent's Functions

Under this act, with the exception of primary and election supplies, the purchasing agent is required to make all purchases and all contracts for supplies of every name and nature for the county and its various departments. No other county official has the power to bind the county for the purchase of any supplies. Prior to the enactment of this law there was no statute which required competitive bidding for the various articles purchased by the county, nor was the county required to accept the lowest bid, if more than one bid was presented. Under the original act, if the purchase of any supplies involved an expenditure exceeding \$75.00, the purchasing agent was required to advertise for bids for at least three successive days, unless he could purchase the goods from the state prison department, and he was required to let the contract to the lowest responsible bidder, who might be required, if it was thought proper, to give security for the performance of his contract.

The amendment of 1914 made it possible to purchase supplies without competitive bidding where the amount involved did not exceed the sum of \$250, and also permitted the purchasing agent to dispense with competitive bidding, even though the amount involved exceeded \$250, whenever it is determined by two-thirds vote of the board of supervisors that it would be impracticable to advertise for such bids, and also in any case where the heating, ventilating, lighting or plumbing, or the machinery or equipment of any of the public bulidings become disabled. The head of the department concerned must certify in writing such emergency and the necessity of immediate repair; and such certificate must be approved by the chairman of the board of supervisors.

The wisdom of the creation of this office has, in my opinion, been fully demonstrated. I do not know how much has been saved to the county by the present method since 1906, but I am very sure that the office has saved many times its cost. I might cite you many instances of saving, but will content myself with one illustration. Before the passage of this act one of the departments had occasion to purchase several hundred dollars worth of record books. The price paid was \$17.00 apiece. It was thought that this was an attractive price. Sometime after taking office a requisition was made upon me for more record books. I took up the purchase of these books with several firms. I explained to them that the county would be in the market for many of such books, and that it would be a good advertisement to them to be able to say that they had placed their books in the county of Onondaga. The result was that I got several firms bidding against each other in the hopes that they might get their books in all the departments of the county, and we purchased the same kind of book, with the same grade of paper and in equally good binding, for \$8.50 each.

This office each year purchases supplies amounting to about \$300,000. These cover almost every kind and variety of merchandise. We purchase groceries, dry goods, drugs, clothing, plumbing supplies, printing, law books, machinery, furniture, lumber, coal, rubber goods, wagons, automobiles, horses, cattle, and in fact supplies of every name and nature.

Great Saving to Onondaga County

A man charged with the sole duty of purchasing these various supplies can keep abreast of the market and look ahead and see what likelihood there is of a change of price in the future, and can thus be put in a position to take care more intelligently of the interests of the county. This is illustrated by the experience which this office has had during the past few months, when the prices of all merchandise have been soaring at such an alarming rate. Last spring I was informed that prices of many commodities would doubtless be very much increased. Accordingly I brought this matter to the attention of the various departments and advised them of the situation, and after a thorough discussion of the matter, they made requisitions for various supplies, which they were reasonably sure they would need for sometime to come. I purchased three thousand tons of soft coal for the county home and fifteen hundred tons for the penitentiary at a price under \$4.00 per ton; today that same coal would cost about \$7.00 a ton. This has

meant a saving to the county of substantially \$10,000. I purchased flour for \$5.15 a barrel and thereby saved the county substantially \$5,000. I purchased leather at forty-seven and forty-nine cents a pound, which today could not be bought for less than seventy-five cents a pound. I mention these items simply to show that, when one man is charged with the purchase of supplies and can give his entire attention to the subject and is in touch with the various departments, and knows in general about what they will need in the future, he can study the situation, and, if an emergency arises such as has arisen in this country within the last year, he is in a position to take advantage of the situation and better protect the interests of the county than the various individuals who are charged with other duties and buy in limited quantities only.

It is needless to call your attention to the great advantages which can be obtained by competitive bidding. Under the old system in vogue here, a man buying in small quantities would not be expected to invite bids for his purchase. The various officials buying goods at that time sought to get as good a price as possible, and doubtless often did buy as close as any person could have done under that system. But when you have one man charged with the sole duty of buying supplies for the county, he is in a position to hammer down the prices and to go out and look for competitive bidders.

The Question of Prison-Made Goods

I believe that the county is hampered to a considerable extent by the statute which requires such supplies as can be purchased from the superintendent of prisons to be bought from that department. This requirement is contained in the statute creating this office. We have adhered to this law, and when that department could furnish the goods which we desired to buy, we have either purchased the goods from them or have obtained a waiver therefor. I find, however, that this is very much to the detriment of the county for two reasons. First, I have found in many, if not the great majority of instances that I can obtain a better price for the same goods in the open market; and, in the second place, many of the goods furnished by this department are of an inferior quality. I believe that the interests of the public would be better served if this requirement was entirely eliminated from the statute, and if we were able to buy these goods in the open market, wherever we could get the best goods for the least money.

Methods, Checks, System

The statute provides that the head of the department or official making the requisition shall check up all purchases, and that the order issued shall be receipted by such official. This is always attached to the verified bill of the seller. A careful check on all purchases can thus be had.

The Purchasing Agents' Act requires that, upon the first day of each month or at the regular monthly meeting of the board of supervisors, the purchasing agent shall make a detailed statement, showing, up to a certain date of the preceding month, all purchases or contracts made by him, the quantity, the price charged for each, and to what official, department or institution the purchases were delivered. The board of supervisors is prohibited from auditing or paying any bill for supplies unless it shall fully appear that such supplies were ordered by the purchasing agent.

Before any purchase can be made, requisition must be made upon the purchasing agent by the head of the department for the required articles. This requisition is made in duplicate. One copy is filed in the department making the requisition and the original is filed in the office of the purchasing agent. Departments are required to make monthly requisitions so as to make it possible to buy in quantities, thus reducing the cost. Nearly all purchases are made under competition. As I have already stated, we advertise for all purchases amounting to over \$250.00 so far as is practical, and the contract is awarded to the lowest responsible bidder. It is our custom, when advertising, to notify those whom we know to be interested and liable to submit bids, and the list thus notified is attached to the specifications and filed with the bids after they had been opened, and the contract awarded, which makes a complete record of the transaction. While we do not advertise for the smaller purchases, we do, however, keep them so far as possible under competition by requiring the bidder to mark his price on a quotation card, which is at once sealed until the time of opening, and whoever is low, meeting the specifications, is awarded the contract.

The supplies which we consider it impracticable to advertise for are horses, cattle, automobiles, certain kinds of machinery, articles which have a uniform or standard price, and additional equipment to that which we already have and which we desire to keep uniform.

Standardization

One of the things we have tried to accomplish is to bring our supplies down to a uniform basis and of such a quality as to give us the greatest efficiency. To illustrate: In one office I found that there were almost at many different kinds of paper as there were blanks. Today in that same office there are two grades of paper used which can be procured by all printers. The record books are made of 40-pound Byron-Weston or Brown's paper. The blanks are made on 28-pound. These papers must carry the watermarks above mentioned and meet the specifications as to weight. This brings the proposition down to where every man knows what he must furnish. In order to accomplish this, some jobs had to be turned down before we could make the bidders thoroughly understand what our intentions were. Now we have very little trouble. What I have stated here is also true of all other departments.

Upon the requisition of the department, we draw orders in triplicate, one for the head of the department, one to be filed in the purchasing agent's office, and one to be attached to the verified bill of the seller. We specify on these orders just what has been purchased so that the head of the department is able intelligently to check up the supplies delivered and certify to the same, which certificate, with the bill, is returned to our office. At the time of making the purchase the price is entered upon quotation cards by which we check up the bills as they are returned to our office in order to detect deviation, if any.

With the exception of a few items, our purchases are all made directly from the jobber or wholesaler and they give us the regular cash discount, which amounts to a considerable sum in the course of a year. A complete record of all bills is kept in the purchasing agent's office, giving order number, date of order, name of supplies, of whom purchased, date of bill, total amount of bill, and date approved to the clerk of the board of supervisors. Incidentally I will say that under this system it is almost impossible for a duplicate bill to get through. In fact, we do not know of such an instance during the last eleven years.

As the statute has already indicated, we file with the board of supervisors at their regular monthly meeting a detailed statement showing all bills passed by this office during the past month. We also show in such statement the total amount expended by the department up to date, which is brought down to the end of the fiscal year.

Probably no system is perfect. Experience always opens the way to improvements. Our system has been improved since the formation of the office, and I trust may be generally improved in the future. But the principle of purchasing all county supplies by one official charged with that duty has come to stay in this county, and is, I believe, a principle which should be adopted by every municipality.

DISCUSSION

Mr. Raymond Hamilton: I would like to ask just one question. I understood Mr. Wood to say that he bought in advance in anticipation of rising prices. Where is the extra material stored? In central distributing points? Or is the surplus sent to the various places in which it will probably be used? If the latter, what check is there upon the extra portion, that will prevent it from being taken until the proper time for its consumption?

Mr. Wood: Well, now, we have storage for coal at each institution. We have store rooms at each place, so that our flour is delivered to each institution in bulk.

Mr. Hamilton: What system of check that it will not be unduly used or abstracted?

Mr. Wood: There is no system that will stop dishonesty or make a man honest. But the better the system, possibly, the harder it is for a man to be dishonest. For instance, at our penitentiary, as I specified in the paper, we specify on the orders what they are to receive. If it is Davis baking powder, pound cans, it goes down as Davis baking powder, pound cans. The superintendent is the man who has to check up. In all of our departments we have what we call receiving books, so that when the goods come in they are put down in the books, just what they have received, and then they check up their bills by those books. At our penitentiary, whatever goes down to the lower kitchen is there counted and weighed, and a slip made out certifying it to the man who keeps the receiving books. In the other kitchen the same, and out in the machine shop the same. And these every morning are sent in to the man who keeps the record. Now we have confidence that people are honest, and so long as we do business we have got to have that confidence.

Mr. Hinckley: I would like to ask you a question. We have up there in Erie County a purchase supply committee, and this committee advertises and buys every two months, and some years, when I was chairman of the committee, our committee sent out and invited all the different concerns who were bidding on goods for the county to come in and we all sat around the room there and

tried to get a uniform basis. We got out a list so that it would be fair for everybody. Then we had an investigator, and this investigator is in Mr. Buck's office. He drops into these institutions and checks and weighs everything. It is really a double check. But here is what I wanted to ask you. Don't you give the keepers, superintendents, or whatever you call them here, any leeway at all? Aren't they allowed to buy anything. What about perishable stuff, such as vegetables or delicacies for their own table.

Mr. Wood: Only emergency supplies. That would be classed as emergency supplies.

Mr. Gilbertson: I was going to ask Mr. Wood if he makes out any standard specifications, such as are provided by the bureau of standards at Washington?

Mr. Wood: What do you mean, in regard to the purchase of coal? We do not. We have tried to buy coal by the B. T. U. We have bought a great deal of buckwheat coal on a specification whereby the seller if he falls down on his analysis has to pay for his analysis. But the county doesn't go into those things like the United States Government.

(The morning session was then adjourned.)

THIRD SESSION, FRIDAY AFTERNOON, December 15, 1916.

Chairman: DR. JOHN H. PARMENTER, of Geneva.

[The third session of the conference was held at the close of the luncheon served in the cafe annex of the Hotel Onondaga, on Friday, December 15, 1916, at 2 p. m., with Dr. John H. Parmenter, of Geneva, chairman of the Board of Supervisors of Ontario County and vice-president of the County Government Association, as chairman. Dr. Parmenter said:]

Ontario County, which has bred very few devils and, so far as I know, no angels, is a very pleasant little county, without much history; and that it should have been selected, through its representative, to preside at one of your meetings, is to it a very simple expression of esteem. This has been my first opportunity to attend this, the second meeting of this association. I am more than ever satisfied, after having read the deliberations which were published of the first conference, and having heard what I have at this, that this good work is just beginning, and it should go on and roll up influence for the future in the correction of abuses which we know exist and which are crying for betterment. Some have made the suggestion, which I think should be voiced, to the officers and particularly to the Vice-Presidents who are present, and the same remark would apply to boards of supervisors, that is, that we make an effort to establish in every county local units, which shall be, we

will say, sub-associations of this the parent association. Preferably its composition should be made up of all existing officials, so far as interested officials can be obtained. Of course, no citizen who had the good work of improvement in county government at heart would be excluded from it. Everybody would be welcome. But I do feel that if we had only ten or twelve or fifteen men in each county, responsible to this association, calling each local unit after its counties, for example, the Ontario branch of the County Government Association, and if we have much more frequent meetings of those local branches than is possible with this, that the sum total of contributions which would result from the deliberations of those various bodies would be something valuable for this association to begin with. In other words, the child would be contributing to the parent.

In the second place, these branches would be an influence for adjoining counties which perhaps might be invited to co-operate in the work and ultimately be induced to form local associations of their own. This work must go on. We who have had any official relationship with municipal duties know the crying needs, and I think that everyone who is familiar with it is getting his head more and more filled with the desire to accomplish something.

Now one personal note. In 1911 perhaps there was nobody in the state of New York more ignorant of certain conditions than I. And by chance, and purely by chance, in the office of the clerk of the board of supervisors of Ontario County, I came upon the first bulletin issued by the Westchester Research Bureau, and I say to you that it read like a very interesting tale, and I want to pay my personal tribute to Mr. Cartwright here and now that my first inspiration came from that. I believe that it is through such mediums that we must, in an educational way, get other people fired with the same thing. This is not to say for the moment that overmuch has been accomplished; but at least the zeal has been implanted, and if you can get enthusiasm in the human breast the possibilities of what may happen cannot easily be foretold. It is therefore with great pleasure that, owing to a change of program, I see that Mr. Cartwright is the first speaker, and he will address you on the subject of centralization of control over the administration of various county departments.

CONCENTRATION OF RESPONSIBILITY IN COUNTY GOVERNMENT, AS ILLUSTRATED IN CERTAIN RECENT DEVELOPMENTS IN WESTCHESTER COUNTY.

OTHO GRANDFORD CARTWRIGHT, Secretary of the County Government Association.

I wish that the trustees of the Westchester County Research Bureau, of which I am field director, could hear from every one as directly as from Dr. Parmenter, of Ontario County, about the work that is the result of the humble efforts of our Bureau. The Bureau has received a good many gratifying letters from various parts of the country in witness of its efforts for civic betterment, and such testimonials make our contributors feel that their funds have brought gratifying results. I am not called on here to speak of this topic, but I cannot forbear mentioning it.

But I am requested to take the place of Mr. Frederick P. Close, member of the board of supervisors of Westchester County, and tell you of the improvements in the way of concentration of responsibility that have taken place in that county, and to ask your sober judgment upon whether they have resulted in greater or lesser democracy.

I am sorry that you have not before you the man who is really the subject of the first topic that I am supposed to discuss; but Mr. Macy is a very modest man, and it is hard to get him to appear in any capacity where he has to make a speech. Even in his political campaigns, he did only so much of that as was necessary to keep opponents and others from misrepresenting his aims and purposes. We had him on this program at first, but one of the many boards of directors of which he is a member scheduled a meeting right in the middle of our conference, and we had to give him up.

He is now the commissioner-elect of charities and correction, for Westchester County, and is actual superintendent of the poor of that county. Due to a new act of the legislature, the latter office goes out of existence on January 1st next, and the former, larger office takes its place. He therefore succeeds himself in the same office only a bigger one.

I think that in describing the work of the new commissioner of charities and correction, I can do no better than to present a recent paper by Mr. Winthrop D. Lane, in the "Survey," which probably some of you have already read. The County Government Association has reprinted it by permission of the "Survey," and any of you

who desire may obtain copies from the table here. The paper is entitled "*A Rich Man in the Poor House.*"

Mr. Cartwright then made a brief resumé of Mr. Lane's account of the administration of charities in Westchester County by Mr. Macy under the existing poor law—the general statutes of New York state. Particular emphasis was laid upon the points that Mr. Macy, as superintendent of the poor, had not merely carried out the positive duties made mandatory upon his office by the provisions of the statute, but had performed the additional functions—so unusual in a county official—of devoting himself to ascertaining through study and investigation and experiment the utmost service that the laws would permit him to perform for the county. Instead of the attitude, "What *must* I do to satisfy the letter of the law?" his attitude is "What is the *utmost* that I *can* do for the public without transgressing the law?"

He showed how Mr. Macy's work had broadened and deepened the service and the significance of the office of superintendent of the poor, and had finally triumphed in securing enactment of a statute for Westchester County creating a department of charities and correction, limiting the pernicious powers of local overseers and magistrates as regards charitable relief, and centralizing all these things in the hands of one commissioner, who has power to appoint all his deputies and assistants.

He showed how, under the administration of such an officer, poor relief had expanded, poverty decreased, dependent children had been provided for, and the efficiency of the department and of its actual service to the public increased many hundred per cent.*

Mr. Cartwright continued as follows:

The great point of political science brought out in Mr. Lane's paper is that, in wisely centering power and responsibility in a single officer, we have lost, as it appears to me, not a whit of democratic government. We have an administrative officer whom we elect, but who is directly responsible to us. But he may appoint everybody else in his department, and hold them responsible to him for good service. If we had logically extended the old system, we should elect the head of each institution, and have that many more officers to be nominated by the closed circles of political committees, and such party names confirmed by popular ballot. Instead, we have democracy, because the people select their

* Mr. Lane's paper, entitled "*A Rich Man in the Poor House,*" has been reprinted by the County Government Association in a separate pamphlet, and will be sent to any address on application. Therefore it is not reproduced in this report.

own man to do the nominating as well as the appointing, and are able to trust him.

The new buildings which accompany and which have resulted from this re-organization are a county alms house, a county penitentiary and a county hospital. In addition to that we are building a court-house, which is about completed and ready to move into. That is at White Plains.

I would like to say a word also in regard to the building commission, because that also emphasizes the value of the principle that this association stands for, namely, that the concentration of governmental power in the hands of a small group directly responsible to the public, the acts of which small group are illuminated by the white light of publicity, gives a great deal better service for a great deal less money than any other form where it is scattered under separate heads or committees who are not responsible to anybody. In the illustration already given you have grouped part of the sheriff's functions and all the superintendent of the poor's functions. You have also seen their chief duties taken away from the local overseers of the poor. And you have put all these things into the hands of centralized authority, who is given power to administer it all according to his own best judgment, but at the same time he has got to be responsible to the public. That is where you get good government, and that is democracy. Now, give your attention to our second illustration, the Westchester County Building Commission. We had all these buildings to build, and it was estimated they would cost from two and a quarter millions to two and a half. When the plans were submitted people said you cannot build those for less than from five to ten million dollars. But here is how the matter was handled. We have a commission appointed by statute—a dangerous expedient usually, to handle the matter without having their bills audited by the board of supervisors. You know how that kind of a plan customarily works out. Commissions will graft and they will let contracts in such a way as to favor themselves and their friends. But here is a commission that doesn't. The bad feature of the law is that the act itself names the three commissioners who are to handle this work. But it happened that in this instance they picked out able men for that job, and our Bureau has co-operated with them, and had the pleasure of seeing that they put in a clean simple system of keeping their accounts and records. They opened everything for public inspection. They insisted on real competition in the bids for these buildings. They drew up a form of contract that is thorough and its details worked out to the last item. They put in charge of the

building construction, after the contracts were let, their own supervising architect and engineer, who is on the job all the time, and who doesn't hesitate an instant to rip out what is not according to specifications. The court-house is nearly completed. It is to be done for six hundred thousand dollars. I am told that it is just as good a court-house as you have here, in Onondaga County, though not quite so large, and it is not going to cost six hundred thousand dollars, though you paid more than three times that amount for your court-house.

If that building had been in the hands of the board of supervisors as the hall of records and the supreme court wing of the old court-house were, it would have cost us at least a million.

Now, here are two instances of centralization. Have we lost or gained in democracy by these experiments?

Mr. Parmenter: The next speaker scheduled upon the program is Mr. Frank Crocker, of Nassau County. He is unavoidably absent, and the next address will be by Mr. Graves, the Chief of the Bureau of Municipal Accounts in the state comptroller's office. I am sure that all of us who have had to do with county government feel a big lot of indebtedness to the comptroller's office, for a proper understanding of our financial relations with each other and with our larger units, and I know we will all listen with great pleasure and profit to Mr. Graves.

MR. MARK GRAVES

Mr. Graves: Mr. Chairman and gentlemen. I did not know until yesterday morning that I was expected to come here. Deputy Comptroller Lee had been invited to address you and it was not until yesterday morning that he knew for sure that he could not be present. He called me into his office and told me that I was expected to say something on the subject of "Simplification of County and Local Municipal Finances." On arriving in Syracuse this morning and looking at the program I find I am expected to talk on "State Supervision of County Business." While the two topics may be somewhat related, perhaps what I had prepared to say on the one is hardly applicable to the other. Nevertheless, as I intended to talk largely shop, it perhaps doesn't matter which of the two titles is put over the top of my discussion.

In 1905 our present Senator Mr. Wadsworth fathered a bill which provided for an examination of the affairs of counties and cities and villages by examiners appointed by the state comptroller. That law was not put into active operation until 1907, at which time

the comptroller established a bureau of municipal accounts and employed five accountants and investigators, or examiners, whichever you may term them, to make examination of the municipalities under his jurisdiction. I happen to be one of the five men selected to do that work, and since October, 1907, I have been closely associated with the work of the department. Last year I was put in charge of the bureau having the direction and operation of their work. Therefore in what I say to you today I speak from intimate touch with the work.

I am not what our friend Childs would say is a political scientist. A proposal for betterment appeals to me largely from the standpoint, "Is it possible of operation?" If you suggest a law, as Mr. Childs did suggest some legislation today at our luncheon, I am interested only to such extent as I believe it can be enacted by the legislature. I have been at Albany long enough to know that we cannot always get the best law. We sometimes have to be content with compromise. Therefore, I fear that, in some respects at least, what I say to you may not be interesting; because the purpose of this conference is the subject of better county government.

Since 1907 we have made examinations in every county of the state, excepting only those included wholly within the city of New York, over which we have no jurisdiction. In addition to making such examinations, we have done much constructive work along the line of the accounting of counties. In 1910, the then comptroller, Clark Williams, delegated Mr. Spencer, who is in the room at the present time, to formulate something along the line of uniform accounting, and since 1910 I may safely say there has been a decided improvement in most of the counties of the state in their accounting methods. This year Mr. Spencer and I, in a conversation in Albany, decided that the time was now opportune for review of what had been done along the line of improved accounting methods in counties, and to revise the proposal and to elaborate it in some respect and cut it down in others, and Mr. Spencer is now engaged in that work, and I hope before another year has rolled around we will have formulated and be prepared to install in the various counties of this state a uniform system of accounts, which will not only be practical of operation but which will be in line with the best opinion on accounting methods of municipalities. Because this proposal, which we are working on, is not in final form I cannot naturally tell you of just what it will consist, but its general features are discussed later on the paper that I am to present to you.

ADDRESS

“SIMPLIFICATION OF COUNTY AND LOCAL MUNICIPAL FINANCES”

MARK GRAVES, Chief of Municipal Accounts Bureau, N. Y. State
Comptroller's Department

My work for the nine past years has brought me into intimate touch with the finances of the several counties of the state and with those of the municipal subdivisions thereof. As I view it, the finances of counties, cities and towns are not complex. General laws and city charters provide the means and outline the plan of financing them. Except for lack of uniformity of laws respecting the issuance of temporary loans and funded debts, I consider the general scheme or plan of financing the municipal subdivisions of the state comparatively simple. I do not mean by this that I consider it to be the best, but rather that the best might be no more simple.

There are in this state 57 cities: three of the first class, seven of the second class and 47 of the third class. The finances of cities of the first class are not to any great extent interwoven with or related to county finances. The second-class cities operate under the second-class cities law, a law which is perhaps the best of its kind in the country. Each of the 47 third-class cities has a special charter. There is but little similarity between those charters. It is not practicable to consider them. Hence I take it that for the purposes of this discussion I may limit my remarks to the finances of counties and towns.

There are many respects in which I believe improvement may well be made in the organization of and in the plan for financing such municipalities. Perhaps the two most noticeable—at least, the two most urgently in need of correction—are:

(1) Changes in the plan of formulating the financial program of counties and towns for a given fiscal period, and for arriving at and stating the sums to be levied by tax therein.

(2) Better and more accurate systems of accounting—systems which will reflect the financial condition of such municipalities, the sources of revenue and the objects of expenditure.

Scattered and Diverse Statutes Control Procedure

I invite your attention first to the procedure required to be followed in financing a town.

Towns and town officers have no power to levy taxes. That authority is vested in the board of supervisors of the county.

The law does not outline and, in fact, does not generally permit of the formulation of a sensible town budget.

Section 133 of the town law provides that all accounts, claims and demands against a town shall be audited by the town board, or board of town auditors if there be one; that such board shall issue for each account audited duplicate certificates of audit, one of which shall be filed in the office of the town clerk and the other delivered to the supervisor and by him laid before the board of supervisors at its annual session as a basis for the levy of a tax. It will be observed in passing that the tax to pay town audits is levied at the end of the fiscal year.

Section 93 of the highway law outlines a plan to be followed in arriving at sums necessary to be levied for various highway purposes in advance. It requires an estimate by the town superintendent of the highways, a revision and approval of the estimate by the town board, and finally the certification of the amounts so determined upon to the board of supervisors, and then provides that the board shall include the amounts so certified in the next tax levy of the town.

Sections 190 and 191 of the town law require the supervisor to submit to the board of supervisors at its annual session a statement of the debts of the town, specifying the amount thereof falling due during the forthcoming year and the amount required to pay interest thereon, and such sums are required to be levied in the annual tax.

Section 138 of the town law outlines the procedure to be followed in placing before the board of supervisors information upon which to levy a tax to meet an appropriation voted at a town meeting.

Section 27 of the poor law describes how an estimate may be made by the overseer of the poor of a town, how his estimate may be reviewed and finally certified to the board supervisors for incorporation in the town tax.

Articles 11, 12, 13 and 14 of the town law contain provisions for certifying to the board of supervisors the sums necessary to pay the expenses of sewer, light, water and fire districts respectively.

From this you will observe that the sources from which the board of supervisors determines the amount to be levied by tax upon a given town for local purposes are numerous and diverse.

Town Budgets Practically Prohibited by Law!

I wish to make two points in this connection:

First—At no place in the town are there assembled the various elements of the town budget—upon no officer or board of the town is the duty of compiling a town budget imposed and no means provided by which citizens and taxpayers can ascertain in advance of the final action of the supervisors for what purposes and in what amounts taxes will be levied. The board of supervisors is made the clearing house for this mass of certificates and reports. Upon it is imposed the duty of assembling numerous town budgets with no means of knowing, when it has finished its work, that it has received and acted upon all the reports which should have been presented to it, and, what is more important, without the authority to question the amounts certified for levy.

A report of an examination of one of the counties of this state which recently came to my desk discloses it to have been the practice in that county to levy as a town tax on any given town such sums as the supervisor of the town wished to have included; this without regard to any of the provisions of law to which I have referred.

Secondly—This unbusinesslike and confusing procedure is required by law. In many of the towns of the state an effort has been made to formulate within the town a town budget; however, that is not permissible under the statutes. I am firmly convinced, and I venture to say that every person familiar with conditions will agree with me, that the town law should be so amended as to provide for the formulation of a town budget by town officials. It should require the budget to be made up in such form as to show the purposes for which town funds are intended to be spent, the amount of each appropriation, an estimate of revenues to be received from sources other than taxation, and finally the amount to be raised by tax. An opportunity for taxpayers to appear and be heard respecting budget appropriations should be afforded, and when the budget so compiled and adopted is in final form it should be submitted to the board of supervisors over the signature of the members of the town board or a majority of them.

The legislature of 1916 took a step in the right direction when it enacted chapter 396, by which a new article was added to the town law, applicable only to towns having a population of five thousand or more, and an assessed valuation of taxable property of five million dollars or more. If you are not familiar with that statute, I hope you may be sufficiently interested to examine it.

I consider it defective in only two respects: first, it is permissive, not mandatory, and second, it is applicable only to certain towns. I believe the legislature might well make that article mandatory and applicable to every town in the state.

County Financing Equally as Bad

Turning from the affairs of towns and examining the provisions applicable to the finances of counties, we find a situation equally as bad. The board of supervisors is charged with the duty of determining the amounts to be levied by tax for county purposes. There is, however, an absolute lack of legal provisions concerning the procedure to be followed.

Subdivision 2 of section 12 of the county law provides that the board of supervisors shall audit all accounts and charges against the county and direct annually the raising of sums necessary to defray them in full, and section 242 of the same act reads in part as follows:

"The money necessary to defray the county charges of each county shall be levied on the taxable property in the several towns therein, in the manner prescribed in the general laws relating to taxes."

Except for the ambiguous and incomplete provisions respecting estimates of sums needed for a forthcoming fiscal year, referred to in section 239 of the county law, there is absolutely no provision which controls or outlines the procedure to be followed by the board in making up the county budget. In fact, I venture to say that it is possible in counties of this state for the board of supervisors to adopt a resolution to the effect that \$500,000, or such other sums as may be agreed upon, shall be raised by tax to defray the various expenses of county government for a forthcoming year without there being the slightest chance of restraining the levy of a tax, unless the party seeking to restrain its levy can produce facts showing that such a sum is not needed or that it is intended to be spent by the board for other than county purposes. If this statement be true, it must be concluded that an absurd condition respecting the finances of counties exists.

Again, the county law contains no requirement that the board of supervisors shall provide in advance the sums necessary to defray the expenses of the county. In actual practice some of the larger counties of the state, notably Erie, Onondaga, Westchester and perhaps Monroe, do actually levy taxes at the commencement of the fiscal year. In the other counties of the state a part of the requirements of the year is levied at or before the commencement of the year and the remainder at or near the close of the year;

that is to say, most of the counties of this state are not operated on a cash basis. They have not adopted the pay-as-you-go plan.

Furthermore, the county law does not limit the incurring of expenditures to the sums appropriated and provided. It is within the power of the board of supervisors to do so, but in almost no county in the state is that done.

Because of this condition I conclude, and I think you will agree with me, that legislation should be obtained outlining with greater attention to detail the budget making procedure.

I believe the counties of this state should be financed on a cash basis; that is, a budget should be made up and a tax levied at or before the commencement of the fiscal year sufficient to provide for all expenditures during the year; and that there should be a provision in the statute to the effect that contracts involving the expenditure of a greater sum than that provided and made available in the budget should be null and void and that no money of the county should be paid thereon.

This concludes what I have to say to you respecting more comprehensive and intelligent provisions for financing counties and towns. It may occur to you that I am not going far enough because I do not disturb the organization of either towns or counties. Perhaps I am not sufficiently drastic in my views. You must keep in mind, however, that I am intimately in touch with this entire situation. I hope to see the organization of counties and towns very materially changed within the next twenty-five years; nevertheless, I am convinced that such changes will not be effected with one stroke and at one time, but will result from changes gradually made. I am advocating to you here what I believe to be the two points concerning county and town finances most urgently in need of correction.

I wish I might say or do something at this time which will command the earnest support of every individual present toward the accomplishment of these suggestions.

Improved Methods Coming

The second feature of which I wish to speak is the need of improved accounting methods. As to this I believe we are nearer a solution of the problem.

As regards both counties and towns, the comptroller has the power to formulate, prescribe and install uniform systems of accounts. The work of doing this in counties was first undertaken in 1910. Since that time much has been accomplished toward the standardization of accounts of counties, and there has been a most

decided improvement in their accounting and bookkeeping processes. This year Comptroller Travis concluded to have reviewed all that has been done in the past six years and to outline a more perfect plan for keeping their accounts—one more in line with the principles agreed upon by authorities on the subject of municipal accounting. It is expected that the new system will be ready for installation in 1917.

Because the proposal is not yet completed, I naturally can speak of it only in a general way.

It will require the accounts to be kept according to a system of double entry bookkeeping. You may wonder that this is necessary. As a matter of fact, there are some counties of the state where the accounts are now kept according to single entry bookkeeping. This was true of the county of Chemung until two years ago. Chemung, as you know, contains the sizable and enterprising city of Elmira.

The system will be divided into two parts: part one will pertain to the annual budget and will contain an outline of a proposed uniform budget; part two will describe the accounting procedure and illustrate those entries of common occurrence in the budget and in the system.

The appropriations and the accounts will be classified according to a two-fold classification, the first being by governmental function and the second by purpose or object of expenditure.

Changes of minor importance will probably be made but in the main the classification by governmental function will be substantially as follows:

- I. General government
- II. Protection of persons and property
- III. Conservation of health
- IV. Highways
- V. Charities and corrections
- VI. Education
- VII. Municipal indebtedness
- VIII. Construction and permanent improvements
- IX. Miscellaneous

For the classification by purpose of expenditure, such standard accounts will be proposed as the experience of counties suggests to be wise and practicable. It will probably be substantially as follows:

- (a) Salaries, wages and fees
- (b) Traveling expense

- (c) Office expense
- (d) Printing and advertising
- (e) Purchase of equipment
- (f) Maintenance of equipment
- (g) Materials and supplies
- (h) Repairs by contract or open market order
- (i) Rent
- (j) Insurance
- (k) Other expenses (specify)

I would not have you believe that the principles of the system which we are formulating and will prescribe are entirely original with us. It is our aim to consult the leading authorities on this subject and to apply and adapt that which has been found useful in other places to the conditions and affairs of the counties of the state.

Accuracy, Standardization, Uniformity, Guidance

The benefits which will be derived from the installation of such a system may briefly be summarized as follows:

(1) Each county will have an accurate and complete record of all its financial affairs—one which will disclose at all times its financial condition and the condition of each of its funds and accounts.

(2) The accounts of revenues and expenses being standard and the classification uniform of administration, it will be possible to make intelligent comparisons of expenses and revenues for different years.

(3) Because the system will be uniform and employed in all counties of the state, it will become possible to make significant comparison between the different counties of the state.

(4) By reason of all this, the officers of the county will be in a position to plan more intelligently the financial program for the future.

Respecting the accounts of towns, less has been done along the line of improved accounting methods. We have but fifteen men to make examinations and to install systems of accounts in approximately 1,600 municipalities. It necessarily follows that we can not successfully undertake too much at one time. We hope next year to take up the matter of improved methods of accounting in towns.

There are in this state 933 towns. The supervisor is the chief fiscal officer as well as the principal executive officer of the towns. Usually he is not a bookkeeper or an accountant, and in most of the towns of the state the business of his office does not

warrant the employment of a clerk or bookkeeper. In view of this situation, the system which we devise and install in the towns of this state must necessarily be simple. We have in mind publishing a handbook, as it were, for town officers—one which will describe how the accounts should be kept, perhaps illustrate the transactions usually occurring in a town and contain other subject matter of value to towns and town officers.

In closing, I wish to express my appreciation of having had this opportunity to address you. I desire you to know of the deep interest which the comptroller and we of the municipal accounts bureau of his office are taking in this subject of municipal finance. I hope you will appreciate that our relations with it are such that we must view it entirely from a practical standpoint, and that it is our earnest desire to co-operate with all individuals and organizations having for their purpose the securing of better municipal government.

DISCUSSION

Chairman Eckel: Are there any present who would like to ask Mr. Graves any questions, or to discuss any of the points raised by his address?

Mr. Cartwright: I would like to ask Mr. Graves what actual improvements have been made in township accounting? What sort of accounts devised by the comptroller's office, by Mr. Graves's bureau, has come into anything like general use in the hands of the supervisors?

Mr. Graves: We have done very little toward improving the accounts of towns. We have made few, if any recommendations concerning methods of keeping accounts. As there are some supervisors present, I wish them to know that this handbook, to which I referred for the use of supervisors and other town officers, is a book which will give advice and suggest the method of procedure to be followed in all transactions involving the finances of towns, and also describe how best to keep simple accounts, accounts which a supervisor who is not an accountant can keep. It will also contain other information which we believe will be of value to them. We have perhaps examined the accounts of 150 towns. Last year we made a group of examinations in the county of Westchester, where our friend Cartwright comes from. He probably knows full well whether that has been beneficial to his county or not. At the present time we are engaged in making similar groups of examinations in the counties of Dutchess and Greene, and ultimately we intend to start groups of examinations in counties in the western and central part

of the state. I have mentioned to you thus, briefly, what appears to be the more technical and trite parts of our work. Of course, the examination work is the interesting part of it. It is that which discloses the interesting things. It makes good reading. It not only discloses the kind and character of administration, but it discloses the serious irregularities and the crime, if any, and it also gives the men who are employed in the work a vivid picture of the good and bad points in the present county government.

As indicated in my opening remarks, I consider seriously, in these investigations, only those things which I believe there is a chance of correcting in the immediate future, because our daily work is to follow the administration under present conditions—not to contemplate what it would be if we abolished boards of supervisors and established county managers. There are two features of county and town government which I have wished to bring with special emphasis to your attention this afternoon, which to my mind are of great importance, and which should be and I believe can be corrected in the immediate future. First, in town government the present town law, except as regards a few towns, prohibits and prevents, makes impossible, the formulation of a town budget by town officers. It prevents and bars the people of the town from knowing how much and for what purposes taxes are to be levied. And second, that it appears to be a legal proposition, that boards of supervisors can lay before the people a county financial program which shows absolutely nothing. It is for that purpose that I am advocating and urging upon you to advocate in your homes and wherever you have an opportunity to say anything on the subject of amendments to the county law which will require the board of supervisors to formulate a budget, which will show the appropriations for each bureau, office and department of county government and the purposes and objects of expenditure, and correlate these appropriations with the estimated revenues from sources other than taxation, and finally arrive at the sum which is to be levied by tax for county purposes, and similar amendment to the town law, for town purposes. I came here this afternoon for the purpose of advocating particularly those two things. They are simple. I presume every one of you have known of or thought about them in one form or another before this time. To me it seems imperative that the statute be changed in the respects which I have indicated.

I am sometimes surprised that we have as good a condition of county and town finances as we have, considering the unsatisfactory status of the laws which govern these municipalities.

I think that that is all that I have to say to you, except to

express Mr. Lee's regrets that he could not be present and talk to you.

In closing, I want to emphasize again that I have appreciated very much having had this opportunity and to remind you of the deep interest which the comptroller and we of the municipal accounts bureau take in this subject of municipal government. I do not want you to think from what I have said that we do not appreciate the study which you are giving to it from a scientific or academic standpoint. That is most valuable. I hope to see these conferences continue and to grow. I think your chairman made a very worthy suggestion at luncheon today when he said that it had been suggested to form local chapters or units or societies in the counties of the state. It occurs to me that that would be fine. I believe the comptroller of the state of New York would be willing to send one or more representatives to an occasional meeting in any county of the state, or in every county of the state if their presence was desired, to speak of the practical workings of the several county offices, and the duties of the officers, and the proper method of administering the office. I believe the organization, which is sponsor for this conference, would probably be willing to send like speakers, and I believe that local interest might be very considerably aroused.

I want you also to know that it is the comptroller's desire and our wish to co-operate with all agencies such as yours in the furthering of better municipal government in the county and towns of the State.

Chairman Eckel: I am very sure we are all very indebted to Mr. Graves for the excellent presentation of his subject, and for the very delightful and re-assuring words that he has expressed as to the co-operation of his office with the type of work that this association is standing for, and for one I might tell him now that I am going to avail myself of his very kind offer. Mr. Graves has made his own offer here for any cross questioning, and I think perhaps that is one of the valuable features of our meeting. So if there are any further inquiries, he will be able to withstand any bombardment that you wish to give him, and it will bring out some things that we want to hear.

Mr. Hinckley: Did I understand that during the next year you expect to take up the examination of town affairs?

Mr. Graves: We are taking them up now, Mr. Hinckley.

Mr. Hinckley: Your suggestions, as regards the towns of Erie county, are absolutely true, and the correctness of the budget and

the correctness of the spreading of the tax of the different towns depends entirely upon the supervisor of each town. Of course, the county is not interested whether he will raise enough money for his highway tax, but should he fail, of course, that falls upon him. But I have been wondering if that could not be arranged so as to make it uniform.

Mr. Graves: Mr. Hinckley, I am proposing an amendment, I think I shall prepare one and have it introduced in the legislature, which will impose upon the town board or some body in the town the duty of filing the town budget and have it certified to your board of supervisors.

Mr. Cartwright: I want to ask Mr. Graves how many men the bureau of municipal accounts now employs for these investigations.

Mr. Graves: I am glad you asked that. The law authorizes the comptroller to employ fifteen accountants and examiners. Men, who are outside men, as it were. Our Bureau is organized with a chief, two clerks, and four stenographers. Outside of the municipal accounts work I find it necessary to devote time to other things, miscellaneous things, like the supervision of all court trust funds of the state of New York, which is imposed on my Bureau. But with the chief accountant, two clerks and four stenographers and fifteen examiners, we are doing all the work of this kind which is being done by the state comptroller's office. There are in the state of New York under our supervision 57 counties, 54 cities, 442 villages, and 933 towns. It necessarily follows that we cannot spread our services over those each year. We are doing as much as we can. We are speeding up our examiners as much as possible. I think within the past two years we have increased the volume of business fifty per cent., but I would not have you believe for a moment that it is possible for us to cover the field. I think the state of Illinois, either Illinois or Indiana, employs one hundred men at \$10 a day to do this same class of work. We should have more examiners. It needs fifty examiners properly to run the department.

Mr. Cartwright: If you go into a town and make an audit long enough to compare two years' expenditures it takes one or two men at least a month, doesn't it?

Mr. Graves: It does in your Westchester county towns. Upstate there are towns small enough that our men can make an examination a week.

Mr. Cartwright: But if we consider the total time required by larger cities, villages and towns, audits would average of say three weeks each, wouldn't they?

Mr. Graves: We have never examined enough of the smaller municipalities to form an estimate.

Mr. Cartwright: I made this kind of an estimate once, that the 15 men in the comptroller's office, if they were on the job all the while auditing the various towns (not being superhuman, though they are selected on a basis of the qualifications of supermen), if they were all the time on this work, these 15 men could not get around the state once in 10 years. It would be the smaller municipalities that would have to wait the longest, because the big ones, the most important ones, of necessity would demand that they be audited often, and the small ones would get audited about three times a century. The comptroller needs examiners, and 150 men would not be too many. And I am going to ask you if from your experience you think it would be possible to get through the legislature a law that would provide for the making of a town budget by the town officials in such a way as to have it a public affair, so that everybody in the town would know what is being raised by taxation, and refer it to a town meeting so they might all vote on it, and a law to provide a state bureau with a sufficient number of men to give an annual audit to all of these municipalities; and a law that would compel, make mandatory, the adoption of this centralized uniform system of accounts from the comptroller's office, which is, of course, the very best office to make up such things, and the proper place where they should be compiled. That's a genuine legislative poser. Could it be accomplished?

Mr. Graves: I will be frank, I do not think it would be possible to get through such a law. I think it would be possible to get a law which would provide for making up town budgets along the line I have suggested by town officials and providing for a public hearing or notice of a hearing at which any person interested could appear.

Mr. Cartwright: Don't you find that owing to the looseness of accounts and general ignorance of scientific bookkeeping, not dishonesty, but to various elements that show lack of training, there is a lot of money wasted in almost every town, big or little? This could all be saved by an annual audit. It would be worth ten times the price of those 150 men.

Mr. Graves: Our reports do not measure properly the loss to the taxpayers. The most that we can indicate is the absolutely

illegal expenditures. In time I expect that our bureau will take up matters of administration, but the attitude of most comptrollers has been that where it was discretionary with the officials that perhaps we should not criticize the exercise of discretion by them. I want to disabuse the mind of anyone who may have such impression, of the thought that the main purpose of our examination is to find shortages. We find shortages not infrequently. Within the past two weeks a village in the western part of the state has disclosed a shortage of \$3,600, and a town in the Hudson River Valley \$13,800. Last year we found a shortage of \$2,400 in a town on Long Island. And when we recovered the \$2,400 for the town we wrote the town officials that that was not the big feature. The important thing is what is disclosed about inefficient administration. That supervisor told us a year later that our examination saved them \$8,000 or \$9,000. Think what that means in ten years. It overshadows the matter of the shortage which we found and for which we recovered the money.

Mr. Cartwright: That is not your aim, but the fact that those shortages and wastes continue to be disclosed confirms the conviction that those things would not exist if we had the matter under proper supervision and audit.

Mr. Graves: The only way that the legislature would consider such a plan as you suggest would be to make the audit a charge against the municipality, because they are watching state appropriations.

Mr. Eckel: Are there any more questions? I am reminded by the Syracusans that we must cut our program as short as we can, on account of the proposed ride to the county institutions. Now Mr. Gilbertson has something to say on the question of next year's legislative program, but I think we will have to stop, in order to make the trip to the institutions; so we will postpone Mr. Gilbertson's contribution until the evening session with his consent. The afternoon session is now adjourned.

FOURTH SESSION

Friday Evening, December 15, 1916

HON. GILES H. STILWELL, Chairman

[The fourth session of the conference was held in the Hiawatha room of the Hotel Onondaga. In opening the session, Chairman Stilwell said:]

Mr. Osborne, who is announced as the first speaker on our program this evening, will be the last speaker. His train is a little

delayed in reaching Syracuse, but we are advised that he is to be here in time for the latter part of the program. The first address we are to hear is on the subject of "The County as a Unit of School Administration," assigned to State Commissioner of Education Finley, but on account of another engagement Mr. Finley is unable to be here, and he sends in his place Deputy Commissioner Finnegan, who has always been a consistent and persistent and strong advocate of the doctrine which is expressed in this subject, the county or the township, as a unit of school administration, and we are very glad to have Mr. Finnegan as a substitute for the Commissioner.

ADDRESS

THE COUNTY AS A UNIT OF SCHOOL ADMINISTRATION: ARE THERE BETTER UNITS?

HON. THOMAS E. FINEGAN, Deputy Commissioner of Education

Mr. Chairman, Ladies and Gentlemen: The way that Commissioner Finley gets an audience for me is to advise that he will speak and then send me. (Laughter and applause.) I did not know until this afternoon that I was to speak to you to-night. If you will read the program carefully you will observe that there is quite a qualification to the subject, as stated by Chairman Stilwell. It includes the county school government or some other unit of government. That is rather agreeable because it gives me a broader field. I can select almost any kind of a unit of administration which seems desirable.

Same System for a Century and a Quarter

Now there might be four different units of administration. We might have a state unit of administration, or a county, town or district unit. The national government has never seen fit, has never deemed it wise to assume the general direction of educational affairs of the country. It has been left to each state to work out its own particular system of school administration, and we have various types throughout the country. We have the centralized and the decentralized. In New York State people are very apt to say that we have a very much centralized administration of schools; and yet there is not a state in the Union in which local authorities have greater discretionary powers and greater initiative than they have in the management of the school system of the state of New York. In some sections of the country the county is the administrative unit, and largely so in the southern states. In all the states surrounding New York, and in all of the New England states, they have what is known as the

township unit. We have in this state the same unit of administration which we had in 1795. We have made considerable progress in almost every other phase of governmental action, so far as perfecting the unit of administration is concerned; but we have lost sight of one thing, dealing with the schools outside of the cities. And if you take up the school organization as it exists to-day and compare it with the organization which was blocked out by our fathers in 1795, you will find that the fundamentals of the organization for administering the school system of this state have not changed one iota from that time.

Now, this system, when first enacted in this state, applied to the cities as well as to the remaining portion of the state, so that we had in the cities for a long period of time the district system. And in the several cities of the state each school had its own local board. This board controlled the exercise of its own functions and was independent. It had the power of assessing and collecting taxes, of fixing the salaries of the teachers in accordance with the wishes of the district and not on the basis of the city, etc. But as the cities developed and became more populous and increased in number it was found that the organization as applied to the cities was inefficient; that it did not afford an administration of school systems in cities such as the demands of the times required. As early as 1853 the state voted to change this system of administering the school system, and the "Union Free School Act" was passed. I want you to note the language: "Union Free School." This act of 1853 contemplated a change in the entire school system of the state. The schools had not yet been made free in New York State. It was not until 1867 that the schools were made actually free. So the term "Union Free" had the significance of meaning that the schools should be made free to all the children of a district or city, and that the schools of the city or district should be combined or united under one board of control in such district or city. It was under this act that the village and city school systems were first organized.

Decline of Rural School Attendance

Now, I would like to have you turn from the cities temporarily and think of this entire state outside of the cities, and I am glad that while most of you are city interested, you have interest enough in this particular phase of public school administration to come out here to-night. You should understand the administration of the school system as it applies to the country district quite as well as in the cities, because this problem is not simply a rural school problem. The problem of administering the schools in the rural dis-

tricts is a state problem. There has been a great change in civilization since these schools were first organized. To go back even for 35 years and compare the conditions with what we have now, startling changes stand out. Thirty-five years ago there were more people living outside of the cities of this state than were living in those cities. Thirty-five years ago there were 100,000 more children in attendance in the schools of the farming regions than there were in the schools of the cities and villages of 5,000. What is the condition to-day. With a population of approximately 10,000,000, 8,000,000 of these are living in the cities and villages of 5,000, and only 2,000,000 are living in the agricultural regions. And if you take the very latest census you will find that there is even a smaller percentage, it is perhaps not more than 17 per cent. of the entire population that is living now out in the rural regions. There are 600,000 more children attending the schools to-day in the cities and villages than there are in the country districts. But what is worse than this even, there are 100,000 less children in attendance in the country schools to-day than there were 35 years ago. The cities are going to continue to grow in population in this state, and the number of cities in this state is going to increase. But there is not going to be a corresponding increase in the population of the country districts.

Increased Burdens of Smaller Schools

Let me give you just a few other facts in connection with the rural schools, and you will see the difference between the conditions of the city and the country. There are to-day in this state 2,000 school districts, in which the average attendance of pupils is less than seven. There are 2,000 school districts in this state to-day in which the assessed valuation, the taxable property which must support and maintain the schools is less than \$20,000 each. That means that four average farms of a value of \$5,000 must support a school. There are 4,000 school districts in the state which had last year an average attendance of less than ten, and in the same 4,000 districts the assessed valuation of each of the districts was less than \$40,000. In other words, eight average farms assessed for a district at \$5,000 each, which is very conservative, must support a school in that district. Now, I ask you teachers, and I ask you men, what kind of a school you think can be maintained in a district where there are only seven or ten children, and where the taxable property is less than \$40,000. You must take into consideration also the fact that in these seven or ten

children you have many grades represented. You have the beginner—the pupil who comes to school for the first time—and from that they go on up through the several grades. What kind of a school organization can you picture? Suppose you work out a program for one of these country districts. Suppose you prepare a curriculum of reading, writing, history and English, and all the different subjects that are required to be taught in the schools, and what kind of a program would you have? How many minutes could you give to a recitation on each subject in that school? In those country districts, where the numbers are greater, where we have from 25 to 40 children, what kind of a program can you block out for that school, and administer it with any degree of efficiency and satisfaction to yourself? In such schools about seven minutes are given to each recitation, while in a city or village school from thirty to forty minutes are given to a recitation. And what kind of an opportunity is to be given to the boys and girls who must attend schools in the farming regions, if we have this limited property for the support of the schools and meager provisions for presenting the courses of study? Compare the facilities which are afforded these children with those which are afforded the children in the village districts or in the cities of the state.

There is a provision in the state constitution which reads something like this: The legislature shall provide a free system of common schools wherein all the children of the state shall be educated. What does that mean? Doesn't a constitutional mandate presuppose that there shall be equal educational opportunities so far as may be possible for every child in the state? It doesn't mean that such an organization shall be created in this state that it may be administered in the popular centers of the state so as to give to the boys and girls of that section school facilities which are far superior to the school facilities which are provided for the other boys and girls simply because they happen to live upon the farms of the state.

Unused Resources for Rural Schools

There are modern agencies of civilization which have been utilized for everything else, and they should be utilized for the administration of the public school system. Within a few years the state has embarked upon the good road proposition. The state has expended more than \$100,000,000, or authorized the expenditure, and made contracts for the construction of state roads. That is an asset in the administration of the schools of the state, and the state is chargeable with neglect if it does not utilize that to the very limit to which it may be utilized in administering the school facili-

ties through the country districts. And look at the great system of trolley lines. Look at the mileage of steam railroads in the state. Look at the general use in which the automobile and automobile bus has now come. These are all the agencies of the state that should be utilized in the administration of the public schools. These agencies have brought all the farms in the state nearer to good schools than they ever were before. It is possible to perfect an organization which shall give to the boys and girls on the farms the school facilities, or as near as may be possible, the school facilities which are provided for the boys and girls in the cities, why in the name of fair play should they not have it? They should have it; and they might have it.

The Township Unit Will Solve the Problem

We have in this state 10,500 school districts outside of the cities and villages of 5,000. In our neighboring state of Pennsylvania, a much more rugged state, a state that has not the facilities for bringing the children together which we have here, they have less than 3,000 school districts. Pennsylvania has the township system.

Now, there is a good deal of misunderstanding in the popular mind as to what we mean by the township system of schools. Very generally in the farming regions when you speak upon the subject of the township system the people get the idea the first thing you mean to do is to wipe out all the schools in existence and then build one school in the town. No person ever had any such thought in this state so far as I know, and the best evidence of that are the measures which have been prepared from year to year in the last four or five years and introduced into the legislature. There is not a line in any one of those bills which contemplates the wiping out of school districts or the interference with the school district boundaries as they now stand, or that provides for the consolidation of schools as they now stand. I am one of the strongest advocates in the whole country for the consolidated school, but I do not want to consolidate schools in a community until the community wants to consolidate the schools. And that very community-want is what this township plan proposes as a basis.

Since 1853 there has been the arbitrary power in the statute for the consolidation of schools, and that is what has given most of the trouble. The fact is that the township plan which has been proposed is an absolutely home rule plan, and it would wipe out all of this discontent, and all of this misunderstanding if it were in operation. It provides that the people of the township shall come

together upon the first Tuesday in May, and that there they shall choose a town board of education, and that this town board of education shall be vested with powers so far as may be possible similar to the powers and duties which are exercised by boards of education in villages and cities of the state. It does not propose to put all of these schools together, but it does propose that the people of the whole town, through their board of education, if they want to consolidate schools, shall have the power to do it, and that it shall not be done by other arbitrary authority. That is the backbone of the township system. Could anything be more democratic? Could anything be fairer to the people?

Just as It Solved the Highway Problem

It was only eighteen years ago that we had all through the country districts what was known as the pathmaster system in the matter of public highways. The towns were broken up into road districts, just as the towns are now broken up into the school districts, and they had one officer appointed by the commissioner of highways, and known as the pathmaster. He worked the road. That is, in the spring, when they could not do anything else, all the men living along a certain strip of road were warned to come out and work on the road. They came, and they brought with them a team and a plow and a scraper and a yoke of oxen, and generally a jug of cider, and they worked the road. You know the kind of roads we had in this state eighteen years ago under that system.

The state abolished the old road system. It wiped out these old road districts, that are comparable to the old school districts; it abolished the pathmaster, and it created instead a superintendent of highways for the town, and it placed under the management of that man, that one official, the supervision and working of the highways and the maintenance of highways. And the people themselves were given the power to vote expenditures for the improvement of roads. And what has happened? In the eighteen years since then, the people themselves have constructed more than 12,000 miles of improved highway in this state under their local superintendents. That is joyously accepted as home rule in highways. Why not have the same kind of home rule in the administration of schools? And why not give to the people of the town the right to say at a town meeting, through their representatives, we want better schools in this town? The conditions in this township are such, our roads are such, our trolley systems are such, our steam lines are such that we are going to utilize them all in bringing the children from these little remote corners into the central territory

and give them an education that is equivalent to that received by the boys and girls that live in the cities and villages of the state.

Why, all over this land they are talking about the boys and girls on the farms having an education equal to that which is given to the boys and girls in the cities, and the cry from one end of the country to the other is that the country schools must be made the equal of the city schools. How in the world will it ever be possible to do it in the state of New York, continuing to maintain 4,000 districts having an average attendance of less than ten pupils and property of less than \$40,000 each upon which to raise taxes to support the schools. It is out of the question.

Township Unit Simplifies Taxation and Other Difficulties

Suppose some one came into the city of Syracuse to-day and said, "Your school system is all wrong. We are going to change it. We are going to have:"—I do not know how many schools you have got here. How many have you, Superintendent Hughes? (Superintendent Hughes: "Thirty-eight.") You have thirty-eight schools here. What would you say to a proposition that you have thirty-eight boards of education? According to the evening papers you are having trouble enough with just one board. Now, what would be your trouble if you had thirty-eight boards, and what would be the condition of affairs in the city of Syracuse if each of such thirty-eight boards of education had the taxing power, power to levy and collect taxes and fix the qualifications of teachers and go on and run the school the way they wanted to. But you go out here in any of these rural towns of Onondaga County and that is exactly what you have. You have a township out here, with perhaps ten or twelve boards of education, running its schools, each having the taxing power. Now, we in the education department believe the people of any township in this state can be trusted to come out on a single day to select five or six men or women of that town to handle the school system of that town. That is what the township bill proposes. If it is possible in such township to bring together four schools, or six schools, or ten schools, and have them within an accessible distance of every child of the town, the town board will determine whether that is to be done. If the conditions existing in that town require that there shall be eight schools, then the board of education of that town will do right to maintain and continue the eight schools.

Now, there are many other inequalities in the present system. An inequality of taxation means an inequality of school privileges always. There are thousands of instances of this all through this

state. It is the rule that in one district the tax rate for the support of the schools will be ten mills, and in an adjoining district it will be two mills. In one district the cost per capita of maintaining the school will be \$75, and in an adjoining district the cost per capita will be \$20. It is the case in nearly every town of the state. I had the pleasure recently of sitting down with Mr. Cartwright and some other representative men and going over the list, taking one entire county and just comparing the tax rate and the cost per capita of the several districts of that county. And those gentlemen know the startling variation and inequalities of the cost per pupil. I had a case before me only last week with the following condition: This was a proposition that came from the people themselves, on a consolidation. A delegation, with the district superintendent, came to Albany and wanted to know what I would advise in their community. Here were eight districts. The farthest which any inhabitant of the eight districts lived from a central point, which was a railroad station, was two and one-half miles, and there were good hard roads all through the community, level roads, no hills in the county, one of the best agricultural regions in the whole section of the state. There are 250 children in these eight districts. Nearly all of the farmers in that entire section go down to this railroad station with their milk. There is a large milk station there. It is a great dairy center.

A Case in Point

The delegation said: "We would advise a consolidation of these eight districts." And I said to them: "What do your people want? Do they want consolidation?" They said that some did and some did not. That the proportion was about two to one against. I said I would not advise consolidation. I would advise you who are in favor of consolidation to go home and do a little missionary work. You go home and show the people of this community the advantages that will accrue from the organization of a consolidated school. You take the facts that can be produced from other centers where schools have been consolidated, and show your people the type of school afforded in the consolidated district and what it costs to maintain the school. Take the actual facts and show what the cost per capita now as compared to what it was before the schools were consolidated, and then see if you cannot convince them that they are in favor of a consolidated school.

There were three districts out of these eight through which a railroad ran, and the railroad paid about one-fourth of the taxes

of the three districts. I said to these representatives: "Who are contributing to the support of the railroad? Does the railroad run right through those three districts for the benefit of the people of those three districts, and is the railroad getting its support from these three districts?" Why, no. Some of the outlying districts were drawing more produce and shipping it over the railroads than the districts through which it ran, and these roads were not contributing a dollar to the support of these outlying schools. In some of these districts the tax rate was a mill and a half, in others it was fourteen mills. In some of these districts the cost per capita of maintaining the school was \$19, and in the adjoining districts was \$51. Now, is there any reason whatever for this inequality of taxation? The township bill means an equality of taxation for the entire town. It means that all of the property of the town shall contribute its proportionate share to the support of the school.

When these schools were originally laid out they were not laid out upon any particular lines. They were laid out to meet the needs of the civilization of that day. Here were a group of men who settled in the country, and they needed a school, and a school was established. And then some other people settled in another center and they needed a school, and a school was established there. And we have continued these old organizations which began in 1795, which were revived in 1812, and which have stood from that time down to the present time without material modification.

Don't you think I am not in sympathy with the one-room school. Let me say to you that I was born in the country, and that I have taught the one-room school. I have supervised the one-room school. There is no kind of farm work which I have not done. And I am in full sympathy with these country schools. The question is not what have these schools done in the past. The question is do the rural schools, under their present organization, provide the type of education demanded to-day. If they do not, then such organization should give way to one that shall.

Other States Have Surpassed New York

Now, the county unit of administration of schools in this state is a least seventy-five years away from us, as I look at it, because we have been trying for fifty years to adopt in this state the township unit, and we have failed. Our neighbor, Massachusetts, worked for fifty years before she succeeded in getting the township system, and only last week a man from the state of Massachusetts, who is now living in Otsego County, came to me and said, "Why cannot we have a good community school in New

York State?" I said, "There is no objection. You go home and you show to the people that a community school is an asset to your farm, and do missionary work with your people and see if you cannot get your school."

The consolidation of rural schools is a question receiving attention throughout the entire country. It is a movement based on the civilization of the day, and it is one which is going to extend its influence. More and more people in our own state are coming to believe that the best type of rural school is to be found in the consolidation of several small, weak districts. Those interested in the proper development of rural schools should come to an agreement upon the legislation which is necessary, so that any modification of the present system shall be along proper lines and so that those interested in such schools shall be satisfied with the reorganized system. Many of the agricultural states through the west are maintaining better rural schools than are maintained in New York state. This is due to the fact that the people in these states believe that the boys and girls who come from the farms are entitled to have the same opportunity to obtain an education that is afforded the boys and girls living in the more populous centers. It is possible to maintain schools in the agricultural regions where agricultural and home-making courses are taught just as effectively as other vocational courses are taught in the cities and large villages.

If your organization is able to contribute to a modification of the present system of rural schools, so that these schools may provide a type of education which is demanded by the development of our agricultural interests and the intellectual needs of the children in our agricultural sections, you will have rendered a great service to the state.

[Commissioner Finegan was obliged to leave immediately after his address. Therefore, there was no opportunity to discuss with him the subject of his stirring speech.]

Chairman Stilwell: We are sorry that Dr. Finegan had to hurry away to catch a train, because I know that many of us would like to have asked him questions and discussed his inspiring subject with him. Right here, before the next speaker is introduced, we will have a report from the legislative committee of the County Government Association, by Mr. H. S. Gilbertson, member of the executive committee of that association.

LEGISLATION PROGRAM OF THE COUNTY GOVERNMENT ASSOCIATION

H. S. GILBERTSON

The Association finds itself in about the same position in respect to legislation as it found itself a year ago. That is, there has nothing of any fundamental consequence come about during the past year that would lead us to change our tactics or our program. We have not discovered any great change in our own minds, and there has been no change in the situation itself. So the legislative committee would recommend to the conference what has already been agreed upon by the executive committee of the association.

I will not read the entire report, but simply summarize it. In the first place, for immediate consideration by the legislature we propose to recommend and to introduce in the legislature at its coming session a bill which will permit any county to adopt an optional form of government, that is, an option to the present form of government in which the governing board consists of the supervisors of the several towns; that optional form to consist of a board of supervisors, a small board elected at large in the county, and that board to be required to appoint a county manager, following the plan of government which is in successful operation in cities in some forty American states. That is the only type of simplified government upon which we have come to any even tentative agreement as to what is desirable as an alternative to the present system.

In the second place, we looked forward beyond what can be accomplished under the present constitution to the time when the counties of this state will have the same opportunities to frame and adopt charters of their own, that a number of the states have in this country given to cities. That is the power of local home rule, at least so far as the government and the form of government of the county is concerned. Not, probably, in the first instance, will such local power ramify to the same general extent as in cities of states in the west under their home rule provision; but simply relating to the government, in order that every county may adapt its government to its own peculiar conditions.

In another bill we propose to ask the legislature for an official investigating committee. At this conference and in our study of county government between conferences, we have discovered that there is a good deal that is wrong about county government. We have seen certain symptoms appearing again and again in different counties, and we very strongly suspect that back of those symp-

toms there is a very general condition of inefficiency, which in some counties reaches a condition of corruption. We believe that those symptoms are so strong and must be so widespread, because they have appeared in so many places, that it would well repay the legislature and the people of this state to appropriate at least a small sum of money and make a general investigation, more or less thorough, of the county system and recommend measures for its change.

Now, to sum up these matters, I wish to present to the conference two or three brief resolutions:

RESOLVED, That it is the sense of this conference that the executive committee prepare and cause to be introduced in the legislature when deemed expedient, the following measures:

First. A constitutional amendment designed to secure a larger measure of control by the people of the counties and their elected representatives in the matter of determining the form of their county government and such other public matters as are of exclusive or peculiar interest to individual counties.

Second. A bill designed to secure to the people of the counties under present constitutional provisions, the right to make a choice between the present form of county government and at least one simplified form of government which shall provide for the erection of a small county governing body elected by the county at large, which shall act through a county manager, who shall have the power to appoint and remove the principal county officers not required by the constitution to be elected.

BE IT FURTHER RESOLVED, In view of the numerous evidences of gross inefficiency and negligence which have been revealed by superficial and casual investigation within recent years in many counties, and which in some counties have reached the point of flagrant corruption, that the legislature of 1917 be requested to direct the appointment of a commission to make a more thorough investigation of conditions prevailing throughout the state affecting the organization and management of the several counties, and to make recommendations for the improvement of such organization and management.

Upon motion, duly made and seconded, the resolutions were adopted.

Chairman Stilwell: We regret, as you all will, to have this telegram: "Train three hours late. Much disappointed. Thomas Mott Osborne." Mr. Osborne left Chicago especially to reach here, on a train that was due to be here in time for this meeting, but for

some reason the train is so late that he will probably not reach here until after our meeting is closed. A telegram about the time we opened the meeting was to the effect that the train was making up some of its lost time and might be here so that Mr. Osborne could speak at the end of our program. But we have with us a speaker who is qualified to talk upon this same subject that we were expecting Mr. Osborne to speak upon. Dr. Hastings H. Hart, of the Russell Sage Foundation, Chairman of the Jail Committee of the American Prison Committee, is to talk on County Jails and Local Penology.

For the ladies here, I think it is all right for me to tell you confidentially what I heard out in the hall between Mr. Hart and Commissioner Finnegan. Somebody asked why so many good looking ladies are coming to this meeting to-night, and Mr. Hart said, "I guess it is because they knew I was going to be here." Commissioner Finnegan was nearby and he said, "You are wrong. I was just saying the reason was, they knew I was going to be here." That shows you how vain a man can be. (Laughter.) I am sure there are two dozen men in this room who are just as attractive to ladies as Mr. Hart, but I do not know anybody who can speak as well for themselves as they can, and I do not know anybody among them who can speak as well as Mr. Hart can. (Laughter and applause.)

ADDRESS

COUNTY JAILS AND LOCAL PENOLOGY

HASTINGS H. HART, LL.D., of the Russell Sage Foundation

Of course, Dr. Finegan was mistaken. But I forgive him for his vanity. (Laughter.) I am also willing to agree with Chairman Stilwell in the high compliment he paid to two dozen men in this audience, especially in view of the high compliment to me with which he ended his introduction. (Laughter and applause.)

I am to talk tonight about county jails. Perhaps it will seem to you not to be an inviting subject. But there are things about it that we need to know, and there are things about it that seem to me exceedingly interesting. My knowledge on this subject and my interest in it is based upon an experience of fifteen years as an inspector of county jails and public institutions, and an experience of thirty-three years in which I have been an interested observer of these institutions.

When we think about the jails or the prisons we are apt to feel as if it were something very remote from us. What do we, respectable and law-abiding people, have to do with the thieves and the vagabonds and the miscreants that fill our county jails?

I am not going to say anything about the women, because the women are law-abiding, but I will undertake to say that there is not a man sitting in this room that has not at some time in his life committed an act that on a strict construction of the law would have to be labeled a crime and might have brought him into jail. If you have never stolen a watermelon in the dark of the moon, if you never snatched a handful of peanuts when the vendor's back was turned, you may perhaps have put into the mails a newspaper with written matter on the margin. But that is a crime, punishable according to law.

The truth is, my friends, and I say this from the basis of a very wide experience with people of this class, that the people that are in the jails are wonderfully like the rest of us. Now, if that is so, why should we interest ourselves with these people? "If they don't like jail, let them keep out of it," and "It isn't a good thing to make jails too pleasant places." "Let the jails be so administered that the people will beware and keep out of them."

Now the thing I want to have you consider, and I am speaking without any desire to make a sensation, I am speaking of just the plain, simple facts, is that our police stations and our county jails are designed primarily for the temporary confinement of suspects, of people that are accused of a crime. The constitution and the law declare that every man shall be deemed to be innocent until he is proven to be guilty, and that should be strictly construed. But our county jails are used for the detention of people that are not accused of any crime. Today a group of us have visited the county jail and the county penitentiary of this county. And there I had a talk with an officer who has been there for many years. He related to me this incident, which is not at all an isolated occurrence. Some time ago in this city a saloonkeeper was arrested for a violation of the excise law. There happened to be present in that saloon two men who were strangers. They did not belong here and were not known to the police. But these men, being present and having had an opportunity to observe the violation of the law, were taken charge of by the deputy sheriff as witnesses. Not knowing anybody here, these men could not give bail; and it being deemed necessary to have their testimony, they were sent to the county jail, four miles from here, and were locked up and kept

as witnesses in the case for three months. The man who was accused of the crime, the saloonkeeper, gave bail and was not locked up a minute. At the end of the three months the grand jury refused to indict the saloonkeeper and there was no case, and the witnesses were dismissed. These witnesses, who were performing a public service to the people, were confined and received the same treatment as the ordinary prisoner.

And that is not an isolated case. Another case that was brought to my attention was that of two men traveling through the State of Michigan. They were driving a team. They were reputable business men, but were strangers in that part of the country. It happened that the team that they were driving answered the description of a team that had been stolen, and these men were arrested on suspicion of having stolen the team and were locked up in jail. They had to stay there ten days before they were able to get somebody to come from a distance and identify them and prove that they were all right. Now these are cases for the protection of the public.

I will give you another case. In the city of Minneapolis there was brought in a man from one of the outlying counties, who was put into the county jail. This county jail was one of the worst places that you ever saw. There were five tiers of cells. Each one of these cells was nine feet long and six and one-half feet wide, and there were six hammocks strung in that cell. The jail was so constructed that the only exercising place was a little corridor four feet wide in front of the cells. At the end was a place intended for a bath, but there were no facilities for bathing. There was no place where a man could keep himself clean and free from vermin, and here the prisoner was compelled to listen to the vilest language of the thieves and vagabonds confined there. Here he was forced to associate with the vilest criminals, and he was locked in that cell with five other men from nine o'clock at night until six o'clock at morning. That man lay in that jail for three months, and while he was there his young wife sickened and died. While he was there his little child was taken sick and died. When he was brought to court the judge peremptorily dismissed the case.

I will give you another case: A little boy nine years old in the city of St. Paul, Minnesota, was put in jail. His cellmate was a thief, and by day he had the range of the corridor in association with the vilest kind of men, who would take pleasure in teaching that child the vilest kind of things. I want to say if he was my child I would far rather he had spent his time in a ward of small-

pox. I asked, "What has that boy done?" and I was told he had been arrested on a charge of arson. He had thoughtlessly kindled a fire which endangered some of the neighboring buildings, and that boy had been arrested and put in that jail!

Now the jail is used, and necessarily used, for the incarceration of people who are not guilty of any crime; and not only that, but of those who are accused of crime, a very large proportion are innocent. At least a great many of them are never convicted of crime, and before the law they are presumptively innocent. Many of them are truly innocent. It is not at all an uncommon thing for some young girl, employed as a house maid in a family, to be arrested because her mistress has missed some article of jewelry, and she is locked up and confined in the jail. After she has been confined in jail the missing article of jewelry turns up and her mistress asks to have the case dismissed and the girl acquitted.

I speak of these things to indicate that it is proper that the question of our jails should receive a certain amount of consideration, because many of the people who are confined there are innocent. They are in prison for the public good, presumptively. But further than that, do you know that nearly all the people in our jails are in prison for debt? Did you ever know that? We thought we had gotten rid of imprisoning people for debt. Two young fellows steal a horse and sell it and divide the proceeds. They go their way. One of them has well-to-do friends. They are arrested. The young man with his well-to-do friends appeals to them and they furnish the money for bail, and he goes free. The other fellow, who is no more guilty, but having no friends to provide the money, goes to jail. He is locked up. Several weeks or months later when the time comes for trial they are both convicted and they both receive the identical punishment. Now shouldn't the boy without money have been treated with at least decent consideration until he was convicted, and then let him be dealt with according to the law?

You have in your jail and penitentiary out here a place for the punishment of misdemeanors. Now a large part of those people that are sent there are sent for petty theft or for vagrancy or drunkenness. They are sent up on a fine. There is imposed upon them a certain amount of costs, and they have to work out a certain length of time to pay that fine and those costs. Of course if a man has a wife who can earn enough by washing to pay his costs and his fine he can be discharged, or if somebody else will advance the money he can be discharged. In other words, he is held because he cannot pay a fine.

I speak of these things because in a large proportion of cases, especially in these petty cases, these petty offenses that send people to jail, they can escape the penalty of imprisonment if they can raise the money to pay their fine. Not only that, but now with the probationary system in a large proportion of cases the people that were formerly sent to jail are put on probation. I speak, therefore, for the prisoner in jail. He should have some consideration. It is a matter that is altogether too much overlooked, and I want to emphasize it just as much as I can.

I am sorry that Mr. Osborne is not here to tell of the wonderful things that he has done in proving to the public that it is possible to manage the prisons in such a way that the men in prison will control themselves and restrain themselves and subject themselves to a large amount of self-denial. And I want to say this: We recognize that Sing Sing ought to be a reformatory, and Mr. Osborne has done everything he could to make it such. We recognize that the Elmira institution, the state prison at Elmira, should be a reformatory institution where young men who have gone wrong shall be restored to right doing and right living. We recognize that the institution at Bedford, of which Dr. Katharine Davis was the superintendent for many years, where girls who have done wrong in one way or another are sent, should be a reformatory for women, where they can be brought up to a higher standard of ideals and right living.

What I want to say to you about the county is just this, that the county jail and the county penitentiary ought to be the most reformatory institutions in the state. Why, there always has to be a first time for a young man or woman to come into the hands of the law. That young fellow has been going the way of least resistance; he has been playing a little fast and it has been passed over, and it has been excused by a kind judge, who thinks the young fellow ought to have a chance; but by and by he goes too far, and he feels the hand of the officer upon his shoulder and he hears him say, "Come with me," and he wakes up and finds that he is to be taken and put into the jail. Now there is the moment of opportunity. That young fellow says, "Good God, have I come to this! If I can only get out of this trouble, you will never catch me in anything of this kind again." He is ashamed. He is ready to respond to any helpful interest. What do we do with that young man in the moment of opportunity. Why, he is taken in handcuffs through the public streets. He is taken to jail, and is conducted through an iron door into a massive place, dark, gloomy and forbidding. He is put into a cell, which with other cells form what

we call a cage. In that cage he is put on exhibition, like a wild beast in a menagerie.

I was shocked today in seeing in your jail, which on the whole is one of the best in the state, a sign as we entered, "Admission 15 Cents." Fifteen cents to see the animals! I beg of you that that be taken down. Fifteen cents to go in and see the animals exhibited. It is an offense against humanity.

Now that young man is put on exhibition. He is put into a place like a jail I visited yesterday in the classical city of New Haven; a jail where a man cannot keep himself clean and free from vermin. That is a fact, a man cannot keep himself clean if he wanted to. This jail which you have out here is different. But in the City of New Haven! Think of it! Well, this young fellow is put into a place where he is forced into constant association with the worst people that can be found. We see today white men and negroes huddled together in a cell in idleness, entertaining one another. Now, a prisoner who is serving a sentence is put to work. He is sent out to the farm or quarry or about some domestic work. But the constitution says slavery or involuntary servitude, except for crime, shall not be permitted within the boundary of the United States. Consequently the prisoner who is held for trial cannot be set to work, unless he volunteers to work. And I find that generally the prisoners who are waiting trial are not permitted to work. The man is kept in idleness, with enforced association with these vile people. This young fellow is ashamed and is thoroughly penitent, but immediately these other fellows when they discover that he is soft begin to ridicule him. They begin to fill his mind with malice and resentment, trying to inspire in him a hatred of the law. They fill him with stories of their criminal experiences. They become personally acquainted with him, and when that young fellow is finally released from jail and goes out and gets a job, he comes down the street some day and he meets one of these fellows that he got acquainted with in that jail, and that fellow says, "Lend me half a dollar." And he is blackmailed and perhaps betrayed to his employer, and driven out of his job!

Let us take such measures as will make of the county jail a truly reformatory institution. Let us seize this opportunity of this first confinement. Why, you can do more for the reformation of a man in three days in a county jail if you have a proper method than you can in three months after he has gone to the length of being sentenced. So I think you will consider it is worth while to consider county jails.

I wish I could give you the point of view of the prisoner. There is no such thing as a "criminal class." Those people inside there are humans. They are men and they are women like you and me. They are influenced by the same passions and by the same emotions and by the same interests. Many of them are subnormal. They are people who are lacking. We call them feeble-minded. That is, they do not have the same degree of mentality. They haven't the same resistance of will. They haven't the same moral endurance and the same forces that go to make up life. That is true. But they are human. The most important thing that Mr. Osborne has done is to treat his men as men, and to meet them on the level. Now let us consider these people as human.

I remember meeting a prisoner, long ago, and something was said about how he happened to be in prison, and he said, "I reckon just my natural cussedness brought me here. It was all about a horse." He said: "I bought a horse, with the understanding that if I liked him I was to keep him. But I didn't like him, so I sold him." (Laughter.)

You know Mr. Osborne has been doing things that many people imagine are new. But it is not new. His plan has been tried out, not as fully, perhaps, as he has tried it, but nearly a hundred years ago, and the descendants of the men who were brought under that influence in those days are respectable citizens today. Up in the state of Michigan there was an old chaplain, and among other things he organized some literary societies among the prisoners, and brought in some humor to those prisoners, and some life and interest. Why, dear friends, we recognize that normal life today requires play. Play is an essential part of the normal life. Look at our theatres and our moving pictures and the vaudeville, and even the interest in the funny part of the Sunday newspapers? But a little humor, a little joy, a little laughter is a good thing. But here are the men in our jails. We used to put them in stripes and shave their heads. The lowest form of ignominy. Gentlemen, I would advise you to take time to talk and laugh while you eat. It is an aid to digestion. It will make you take an interest in life. But here are these poor fellows not even allowed to speak while they are eating. We keep them sitting silent at the table, at a time when there ought to be some activity of the humorous part of man in order to digest his food. We hedge him up with a lot of rules. He is nagged by his officers, and is made to feel that he is degraded and debased. And then if anybody should allow some of those prisoners to sit down and play a game of checkers or cards, or handball in the court, or play ball, that is a very dread-

ful thing. These men are punished and they should be made to feel that they are punished. But if you want to make a normal man of a man you must treat him normally. You cannot expect him to go out and be a normal good citizen in this way. We turn him out of the jail when his sentence is ended and, without a dollar in his pocket, we say, go and be a good citizen. If you are going to trust a man outside of the wall, you must trust him before he goes out. You must trust him on the farm and send him out to work. It is felt to be an awful disgrace in our prisons to lose a man. It is better to lose a man once in a while than fail to develop that which is human in him.

I went and saw this old chaplain in Michigan. And there were about 200 men packed in a room about half the size of this, and they were debating on the question, "Which has the greater influence, example or precept?" So one prisoner got up and made a solemn speech to prove that example had more influence. A negro got up to answer him. This negro had been one of the worst men of the prison. He would fight an officer. He would fight a prisoner. He would fight a visitor. But that man got into that literary society and had been completely reformed. He said, "Mr. President and men. The question is 'Has example more influence than precept?' That man that has just spoke don't know what he is talking about. Why, Mr. President, how was it before the war? Do norf sett de souf an example of not having any slaves. What good did dat do? By and by, Abraham Lincoln he gave de precep!" (Laughter.) The next morning I went into the Sunday school. It was very orderly and they seemed to be very attentive. I looked around and I said to the chaplain, how do you get your teachers. He said, "Some of them are officers, some of them are prisoners, and some of them are citizens. You see that class over there, that has a convict teacher? You notice how interested they are. That man is a marvelous Bible student. He has original ideas of Scripture. He was out for a while and we missed him very much." (Laughter.)

Now, that may seem funny to you, but do you know that might have been all regular. It is a very common thing for a man for a prisoner after having made a record for being a good prisoner, to go out and be arrested for something he committed years ago and be sent back again. The humors of the jails are ghastly, but they are real. I remember inspecting a jail in Minnesota. It was the first time I visited that jail, and it was up on top of a high hill. I inquired for the sheriff; I inquired for the jailer; but neither

one of them was there. They told me the jailer wasn't at home, but they thought the deputy sheriff had the key. I found the deputy sheriff, and he said, "Yes, I have the key. I will get it for you." He felt in all his pockets; he looked confused. He went to the house and came back, and a man with him. He said, "Mr. Hart, this is the prisoner. He has the key." (Laughter.) Well, I learned further about that man, a rather interesting story. It seems that the jail was rather dirty and a dismal place, and it was laborious to carry the food up the hill, and it was easier, I suppose, for the man to carry the food inside of him than in a basket. I made my printed report. This man, it seems, had been administering a little necessary family discipline and his wife had become frightened and she had jumped into a well and was drowned. The authorities, I suppose, were more lenient because the poor man had just recently lost his wife. (Laughter.)

But, my friends, if I were to tell you many of the things that exist in the county jails you would not believe me, and I am afraid I wouldn't blame you or ask you to believe me. De Tocqueville said, "The American county jail is the worst prison in the world." And I will say to you solemnly, based upon official observation, that that indictment stands true of many of our county jails. George Kennan, who had come back from Siberia, told about the terrible prisons they had there, and I said to him, "I will show you within five minutes' distance conditions as bad as any you have described in Siberia," and I could have done it, but he declined to go.

Now, then, I visited yesterday, a county jail in the classical city of New Haven, Connecticut, the seat of Yale University, and this is what I found. I have made it a subject of a written report, which is on file, and I am prepared to back it up. I took the precaution to have the head jailer sit down and read it through, and he said "that is all right and all true." I found that there was no classification of women prisoners, whatever. They were all in together—prostitutes, adventuresses, confidence women, thieves and young shop girls arrested on suspicion, and young women about to become mothers, and two with babies, one of them a beautiful child, born in jail; and there was no classification. They were just run in there together. I found that the jail was so constructed that the only access to the women's department is through the kitchen, and the kitchen is not fireproof. If that jail were to catch fire those women would be inevitably roasted, because the windows are barricaded by heavy iron bars laid into the brickwork. In this place the cooking is done by the women. There are just about the

same number of prisoners as in this county. In this kitchen there is a male chef, who is one of the prisoners there. He is sent in from the men's department, and he is in charge of that part of the prison; and the clerk told me confidentially and with a good deal of enthusiasm what a splendid man that chef was. He says if those women get in any trouble he rules them with a rod of iron. Why, he slept on the women's side in a little room, and the women in charge said he was not locked in. The two matrons go off duty at eight o'clock at night, and the women's department is left in charge of a woman prisoner. And that is in New Haven! On the men's side there is no hospital. If an insane man is brought in there waiting the action of the court he lies in a cell. If he is a very sick man then, they take him to the punishment department, in a cell, and subject that sick man to treatment which is designed for the most unruly and disturbing prisoners. The doctor has no office, but he has the use of the officers' barber shop, a little room 9x10 feet, and he is paid \$300 a year. Half of those people require medical attention. In that 9x10 room he has a few medicines, and a few more are kept in the lobby outside. These matrons that have charge of these prisoners, there are two of them that are responsible for twenty-four hours' duty, are paid a little less than the wages of a good housemaid in New Haven. They get \$25 a month and board, for the most difficult class of work.

This astonished me most of all. They have in that prison the lease system, whereby the prisoners are sold as slaves to contractors. The people of New Haven sell these prisoners, 200 of them, to a chair factory, the prison officers every morning and noon delivering those men at the shops of the company. And the contract provides that the contractor shall furnish suitable men to guard those prisoners and direct their work, and see that they are well behaved and that they do a fair day's work, and in case of failure to perform those duties or labor the contractor shall have authority to punish the prisoners by solitary confinement for a period not exceeding six days, unless the county authorities shall consent to extend it. Now, that means that these men are absolutely sold to these contractors to employ them for their own benefit.

By tacit agreement the right of punishment has been suspended. The present jailer said, "Gentlemen, I will not submit to the execution of that contract. I will reserve to myself the right to punish prisoners," and he is exercising it. But before he came there the contractors exercised that right. These prisoners are working for that contractor, and he pays \$7,000 a year for their services, and as far as I could learn, the light, heat and power for the plant are

also furnished by the county, which would eat up pretty near the whole of that \$7,000. And I learned that last year about \$3,500 was rebated to the contractor for time the prisoners did not work. I will risk my reputation that these men would earn \$1.00 a day. They are producing two chairs a day for every man working there. In other words, they are getting \$60,000 worth of work for nothing. And they have the right under that contract to treat these men as slaves. That is civilized, cultured New Haven.

And, do you know, the county does not even furnish these men with clothing. And there is no laundry in the building, and the men are expected to do their own washing, to wash their own clothing, to wash their own shirts and pillow cases. The men hang their clothes in the exercise yard or they may hang them in their cells. But they do not give them a change of underclothing. The prisoner puts on the prison overalls and shirt, and wears them, and that is all the clothes he is furnished with. How can he keep himself clean? Not even a change of underclothing. Now, gentlemen, that is an official report of something that happened yesterday, the 14th day of December, in the city of New Haven, Connecticut.

We went out and saw a jail today. This place here seems to be a paradise. It is one of the better jails. But the worst thing about your jail is the prisoners have no place for wholesome exercise. The men who are held on suspicion, waiting trial, are very much worse off than the prisoners who are working out their sentence. The men, whom the law presumes to be innocent, are not allowed to work. They are idle. But the prisoners who are serving sentence are working on the farm, or about the stables, or doing domestic work, but the people who are awaiting trial are kept in idleness. And there is no provision for the outdoor exercise of those men in this jail. There is no school there. What a splendid thing it would be to employ somebody to go out there and carry on a school. But there is no recreation. I find that they let the prisoners out in the yard for a while on Sundays, and some of the prisoners get some little yard exercise, but there is no systematic plan for recreation.

Now it is absolutely cruel that those people should be kept month after month that way. Why, if a man is arrested and locked up the latter part of May he has to wait until the grand jury sits in October; he has to stay locked up in your jail in idleness, with no proper place for exercise and no recreation, all that time, until the grand jury sits and ascertains whether the facts warrant an

indictment. Now, that is the condition under these comparatively favorable circumstances. They furnish suits for the man who is serving sentence, but the man who is awaiting trial is not furnished with a change of clothing, even in this county. These are some of the things you have yet to adjust, and when you contemplate such a case as these two men I have mentioned who were held in this place as witnesses for three months while the criminal himself gave bail and went free, you will realize that there is some opportunity for improvement in the administration which you have. There should be some different method of treatment of the prisoners who are serving time and the prisoners who are held awaiting trial and who may be found innocent. As it is, the prisoner who is serving time is allowed to work, is given occupation, while the prisoner awaiting trial is kept in idleness. And it is the same in the women's department. There is absolutely no classification, except that the sentenced prisoners are kept in one department and the unsentenced ones in another. Now, anyone knows the difference between a hardened prostitute or a hardened confidence woman, an adventuress, and some young girl who is arrested for simply an accusation of theft, or perhaps shoplifting. She snatched something in a department store. She is not immoral. Why, the association of those people is something dreadful to contemplate. But they are well fed and the prisoners have some kind of decent employment.

But now, what should be done here? There should be a series of cottages, or additions in the form of cottages, and a large part of those prisoners ought to live in groups of fifteen or twenty men, and they should be gotten out onto the land. They ought to be put into the best possible physical condition. These men should not only be sent to work on the farm, but some of them should be sent out and employed by other farmers, and part of their wages should go to the county and part of it to the support of the prisoners' families.

We are just entering upon a new era, but the substance of it is that these men are human, and they should be treated like humans. We should study how they can be rehabilitated. How, instead of going back to become repeaters, and going back some fifty or sixty times, they can be made men of, and good law-abiding citizens. I thank you.

Chairman Stilwell: I think we all feel that Mr. Hart has been a good substitute for Mr. Osborne. We certainly thank him for his address. And we thank Dr. Finegan. And as this conference

closes I think it is proper for the people of Syracuse to thank the officers of the County Government Association of the state who brought this conference here. We thank the speakers, those who presented papers, those who have discussed the questions, and the newspapers who have given publicity to what this conference has presented. We cannot attain our full ideals in anything; but that doesn't mean that we shall not have ideals. It doesn't mean that we shall not all the while be thinking about ideals, trying to determine what our ideals should be and trying to determine how near we can come to reaching those ideals. We all must have them in any form of work we are trying to carry on officially, to succeed.

We say we cannot change human nature. That is true. Over and over again it is true. We cannot change human nature. But that doesn't mean that we shall not keep studying about human nature, trying to know what it is, trying to know what will influence men and women in different circumstances and conditions of life, studying to find under what conditions human nature will manifest itself at its best, whether it is human nature of the voter, human nature of the office holder of the county or state, human nature in the political party, human nature in the legislature, human nature in the prison. We must all the while keep studying human nature as one of the means of solving the problems which rest upon us. Now this conference has helped us to think about our ideals, to think about human nature, and to think about the means of solving the problems which we have in the government of our county and state. It has been profitable to us, and we thank the Association for bringing it here.

ACCREDITED DELEGATES IN ATTENDANCE

(Continued from inside page of front cover)

J. R. Clancy, Syracuse.

Prof. A. C. Flick, 516 Ostrom Avenue, Syracuse.

George H. Crouse, Syracuse; President, Common Council.

Virgil H. Clymer, 626 Gurney Building, Syracuse.

Helen Hoy Greeley, 17 West 8th Street, New York City; Committee for State Police.

John Parmenter, Geneva; Chairman, Board of Supervisors of Ontario County.

W. C. Pease, Caledonia; Supervisor, Livingston County.

Thomas W. Slaight, Tuscarora; Supervisor, Livingston County.

D. F. Russell, Mt. Morris; Board of Supervisors, Livingston County.

Gamble Wilson, Groveland; Board of Supervisors, Livingston County.

Edward Rosbach, Syracuse; Supervisor, 3d Ward.

Dennis J. Dwyer, Syracuse; Supervisor, 11th Ward.

C. M. Robinson, Fayette.

P. F. Milmoë, Canastota; Supervisor of Town of Lenox, Madison County.

Harvey J. Drake, Buffalo; Supervisor, 23d Ward.

George S. Draper, Syracuse; 505 Emerson Avenue.

H. C. Littel, 1009 Lancaster Avenue, Syracuse.

H. S. Gilbertson, New York City; National Short Ballot Organization.

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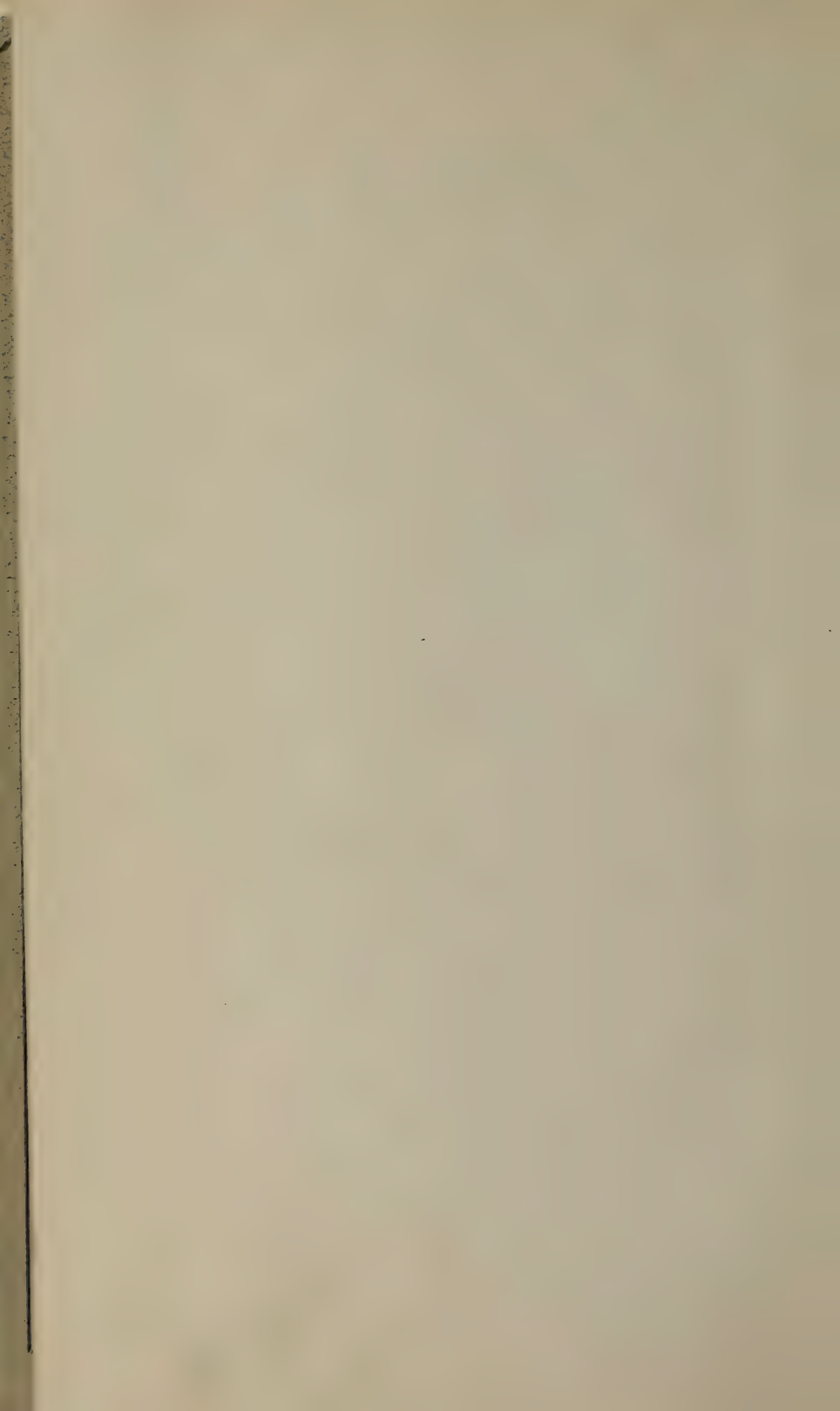
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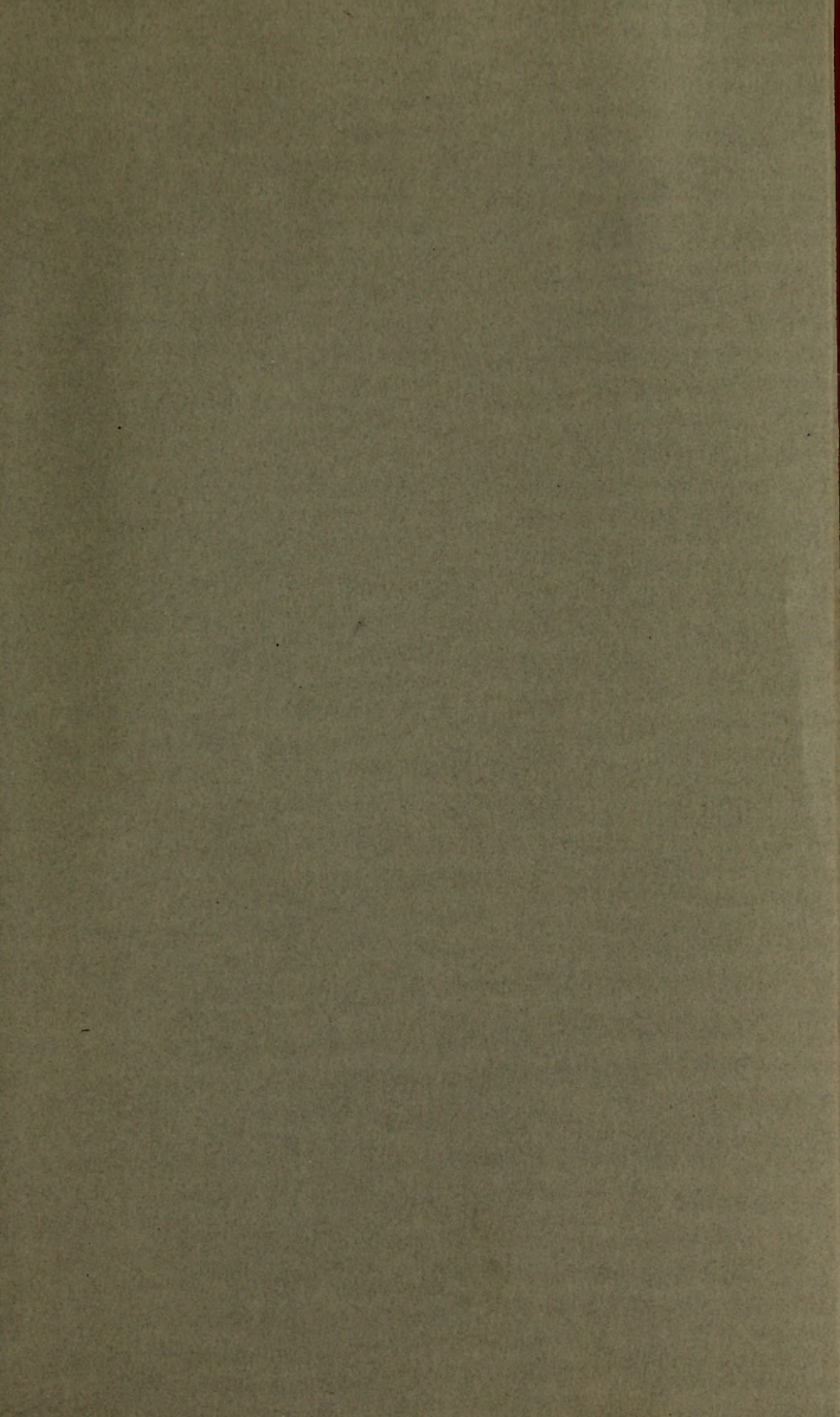
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
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